

The Under Secretary (MP&Power),
Himachal Pradesh,
SIMLA-2.

रजिस्ट्रेशन नं० पो० 197.



29 NOV 1973

राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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17 नवम्बर, 1973/26 कार्तिक, 1895 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:-

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 1-2/73-LSG, dated the 8th November, 1973.	Local Self Government Department	Rules regarding Occupation and rents etc. for Municipal Rest House at Theog.
No. 9-19/68, Tpt.-II, dated the 24th May, 1973.	Transport Department	Draft Reciprocal Transport Agreement in certain Union Territories and States relating to the operation of transport vehicles.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार

PERSONNEL (A-1) DEPARTMENT NOTIFICATIONS

Simla-2, the 18th October, 1973

No. 10-4 72-DP (APPTT).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor, Himachal Pradesh is pleased to appoint **Shri R. N. Bansal, H. P. A. S.** Sub-Divisional Magistrate, Simla to be the Magistrate of the First Class, under the said Code, to exercise such powers within the local limits of Suni Sub-tehsil of Simla district and such other areas of the Simla Tehsil which were not added under section 5 of the Punjab Re-organisation Act, 1966 and were part of Himachal Pradesh as it existed upon 1st November, 1966, with effect from the date of taking over.

Simla-2, the 18th October, 1973

No. 10-4/72-DP (APPTT).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898) as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint **Shri R. N. Bansal, H. P. A. S.** Sub-Divisional Magistrate, Simla to be the Executive Magistrate of the First Class, under the said Code, to exercise such powers within the areas which were added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and local limits of Simla tehsil (including Municipal Area of Simla Corporation), with effect from the date of taking over.

2. In exercise of the powers conferred by section 13 of the Code of Criminal Procedure, 1898 (Act V of 1898) as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor is further pleased to place **Shri R. N. Bansal** in charge of the sub-division, Simla of District Simla to be called as Sub-Divisional Magistrate, Simla, District Simla.

Simla-2, the 19th October, 1973

No. 10-2 72-DP (APPTT).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint **Shri J. C. Thapar, a Select List Officer of H. P. A. S.,** Sub-Divisional Magistrate, Palampur, District Kangra to be the Executive Magistrate of the First Class under the said Code to exercise the powers as such within the local limits of Sub-Division, Palampur, District Kangra with effect from the date of taking over.

2. In exercise of the powers conferred by section 13 of the Code of Criminal Procedure, 1898 (Act V of 1898) as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor is further pleased to place **Shri J. C. Thapar, a Select List Officer of H. P. A. S.,** in charge

of the Sub-division, Palampur, District Kangra to be called as Sub-Divisional Magistrate, Palampur, District Kangra.

Simla-2, the 19th October, 1973

No. 10-2/72-DP (APPTT).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint **Shri A. K. Mohapatra, IAS (HP),** Sub-Divisional Magistrate, Nurgpur, District Kangra, to be the Executive Magistrate of the First Class under the said Code to exercise the powers as such within the local limits of Sub-Division Nurgpur, District Kangra with effect from the date of taking over.

2. In exercise of the powers conferred by section 13 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor is further pleased to place **Shri A. K. Mohapatra, IAS (HP)** in charge of the Sub-Division, Nurgpur, District Kangra to be called as Sub-Divisional Magistrate, Nurgpur, District Kangra.

Simla-2, the 19th October, 1973

No. 3-11/71-Apptt.—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 27 days' earned leave with effect from 19th November, 1973 to 15th December, 1973 with permission to prefix and suffix Sundays falling on the 18th November, 1973 and 16th December, 1973 respectively in favour of **Shri A. R. Basu, H.P.A.S.,** presently posted as Sub-Divisional Magistrate, Rampur, District Simla, subject to verification of title to leave admissible to him.

2. Certified that **Shri A. R. Basu** would have continued to officiate as Sub-Divisional Magistrate, Rampur, but for his proceeding on leave mentioned above.

3. Certified that after the expiry of leave **Shri Basu** is likely to return to duty to the station from where he proceeds on leave.

Simla-2, the 23rd October, 1973

No. 3-34/66-Apptt.—In continuation of this Department's Notification of even number, dated the 10th October, 1973 the Governor, Himachal Pradesh, is pleased to accord sanction to the grant of 32 days extension in earned leave from the 30th September, 1973 to 31st October, 1973, to **Shri A. N. Vidyarthi, I.A.S.,** Deputy Commissioner, Kangra, subject to verification of title to leave due to the officer, by the Accountant General, H. P. and Chandigarh.

2. Certified that **Shri A. N. Vidyarthi, IAS,** would have continued to officiate against the post of Deputy Commissioner, Kangra, but for his proceeding on the above leave.

3. Certified also that **Shri A. N. Vidyarthi,** will return to duty to the station from which he proceeded on leave.

Simla-2, the 23rd October, 1973

No. 3-BDS/73-Apptt.—The Governor, Himachal Pradesh, is pleased to accord sanction to the grant of 36 days earned leave with effect from 26th October, 1973 with permission to prefix Dewali Holiday falling on the 25th October, 1973 in favour of Shri B. D. Shaunak, Under Secretary (PW) to the Government of Himachal Pradesh, subject to verification of title to leave admissible to him.

2. Certified that Shri Shaunak would have continued to officiate as Under Secretary (PW) but for his proceeding on leave as mentioned above.

3. Certified that not later than the time, the Governor, Himachal Pradesh, formally sanctioned 36 days earned leave in favour of Shri B. D. Shaunak, he then intended to repost him to the same post from where he is to proceed on leave.

4. The Governor, Himachal Pradesh is further pleased to order that Shri A. D. Dhanta, Under Secretary (Health & F.P.) to the Government of Himachal Pradesh, will function as Under Secretary (PW) to the Government of Himachal Pradesh, in addition to his own duties, during the period Shri B. D. Shaunak, remains on leave as mentioned above.

Simla-2, the 23rd October, 1973

No. 1-3/68-Apptt.—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 31 days' earned leave with effect from the date of availing in favour of Shri T. R. Mahajan, IPS(HP) presently posted as Superintendent of Police, Kinnaur District, Kalpa subject to verification of title to leave.

2. Certified that Shri T. R. Mahajan, will return to duty to the station from where he proceeded on leave.

3. The Governor is further pleased to order that during the period of earned leave of Shri T. R. Mahajan, IPS, Shri Gangbis Singh, IPS, Superintendent of Police, Simla shall hold the charge of the post of S. P., Kinnaur, in addition to his own duties.

Simla-2, the 24th October, 1973

No. 3-17/65-Apptt.—The Governor, Himachal Pradesh, is pleased to accord *ex-post-facto* sanction to the grant of 48 days earned leave with effect from 13th August, 1973 to 29th September, 1973 with permission to prefix and suffix holidays falling on the 11th, 12th August, 1973 and 30th September, 1973 respectively in favour of Shri G. S. Chauhan, G.A. to Deputy Commissioner (MIC), Kinnaur. This is in supersession of notification of even number, dated 16-7-73.

2. Certified that Shri Chauhan would have continued to officiate against the post of G.A., Kalpa in Kinnaur district but for his proceeding on leave referred to above.

3. Certified that Shri Chauhan has since returned to duty to the station from where he had proceeded on leave.

4. The Governor, Himachal Pradesh, is further pleased to order that the Sub-Divisional Officer, (Civil), Kalpa, had looked after his work during the period of leave as referred to above.

Simla-2, the 3rd November, 1973

No. 1-11/65-DP (Apptt.).—The Governor, Himachal Pradesh is pleased to order the confirmation of the following Probationers of Himachal Pradesh Administrative Service in the Himachal Pradesh Administrative Service with effect from the dates shown against each:—

1. Shri Mohinder Singh ..	10-12-72
2. Shri T. N. Wangu ..	10-12-72
3. Shri S. M. Verma ..	10-12-72
4. Shri K. C. Gupta ..	10-12-72
5. Kum. S. Brar ..	10-12-72
6. Shri P. C. Dogra ..	1-2-71
7. Shri C. P. Pande ..	1-12-71
8. Shri A. R. Basu ..	18-5-72
9. Shri S. Nigam ..	22-1-73
10. Kumar T. D. Singh ..	22-1-73.

Simla-2, the 6th November, 1973

No. 10-6/67-DP-Apptt.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898) as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh, is pleased to appoint Shri G. C. Singha, Tehsildar Simla, to be the Executive Magistrate Second Class with all the powers of an Executive Magistrate Second Class under the said Code, to be exercised within the local limits of Simla Tehsil, with immediate effect.

Simla-2, the 6th November, 1973

No. 10-2/72-DP-Apptt. (I).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898, as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint Shri Shiv Chand Thakur, District Development and Panchayat Officer, Kulu, District Kulu, to be the Executive Magistrate First Class with all the powers of an Executive Magistrate First Class, under the said Code, to be exercised within the local limits of Kulu district, with immediate effect.

A. K. GOSWAMI,
Joint Secretary.

COMMUNITY DEVELOPMENT DEPARTMENT NOTIFICATION

Simla-4, the 6th November, 1973

No. 2-56/72-CD (Cell).—Due to the transfer of Patwar Circles Santla and Kurna of Tehsil and District Hamirpur to Tehsil Dehra of District Kangra vide Himachal Pradesh Government, General Administration Department notification No. 3-36/72-GA-C., dated the 17th September, 1973 and in supersession of this Department notification of even number, dated the 31st August, 1972, the Governor of Himachal Pradesh is pleased to order the exclusion of following five Gram Panchayats from Nadaum Block (Stage II) of Hamirpur district and their inclusion in the Pragpur Block (Stage II) of Kangra district with immediate effect in the public interest, so that the Block

boundaries should be co-terminus with the revenue boundaries:—

Sl. No.	Name of Gram Panchayats
1.	Santla
2.	Kurna
3.	Pir-Saluhi
4.	Punani
5.	Aloh.

EDUCATION DEPARTMENT

CORRIGENDUM

Simla-2, the 5th November, 1973

No. 3-46/72-Edu. B.—Please substitute the words “Land Acquisition Officer (Collector) Kangra, District Kangra” for the words “Land Acquisition Officer (Collector) Kangra district appearing in para 2 of this Department notification of even number, dated the 11th September, 1973.

KANWAR SHAMSHER SINGH,
Joint Secretary.

By order,
PRAKASH CHAND,
Secretary.

FOREST DEPARTMENT

NOTIFICATIONS

Simla-2, the 22nd October, 1973

No. 8-173-SF (CMD).—WHEREAS it is considered necessary that portions of the forest specified in the Schedule to this notification shall be closed for a period of 20 years or shorter period as may be deemed sufficient and that the rights of private persons in or over such person shall be suspended during such period for the purpose of regeneration and artificial restocking;

AND WHEREAS the remainder of such forest is sufficient in a locality reasonably convenient for the due exercise of the rights likely to be suspended in or over the portion to be so closed;

AND WHEREAS it is further considered necessary to prohibit the doing of any of all of the acts mentioned in clause (c) of the section 30 of the Indian Forest Act, 1927;

NOW, THEREFORE, in exercise of the powers conferred by section 30 of the Indian Forest Act (XVI of 1927), the Governor, Himachal Pradesh is pleased to declare that the portions of the forests situated in Jogindernagar Range, Mandi Forest Division as per schedule given below, shall be closed for a period of 20 years or such shorter period as may be deemed sufficient from the date of this notification and that the rights of private persons in or over such portion shall remain suspended during the said period and he is further pleased to prohibit, from the date of this notification:—

- (i) quarrying and removal of stones;
- (ii) burning of lime and charcoal;
- (iii) breaking up or clearing for cultivation for building, for herding cattle or for any other purpose;
- (iv) grazing by all kinds of animals throughout the year;
- (v) lopping and cutting of trees and bushes throughout the year;
- (vi) cutting of grass throughout the year; and
- (vii) collection or subjection to any manufacturing process or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting may be permitted free to rightholders on permits to be issued on such terms and conditions as may be made and imposed, at the discretion of the Divisional Forest Officer, Mandi Forest Division.

Sl. No.	Name of Distt.	Name of Tehsil	Illaqua	Name of the Forest	Total area of Forest (in hecets.)	Area closed (in hecets.)	Boundaries			
							East	West	North	South
1.	Mandi	Joginder-nagar.	Dalaha	Shushang U.F.	161.87	50.	Uhal River.	Chura-nd.	Chura-nd.	Chura-nd.
2.	-do-	-do-	-do-	Pali U.F.	178.06	60	D.P.F. Pali.	Chura-nd.	Cultiva-tion.	Chura-nd.
3.	-do-	-do-	-do-	Surahan U.F.	44.00	40	Boun-dary of Mohal Goh-gur Dhar.	Culti-va-tion of Mohal Sur-han.	Mohal Kala-utha.	Chura-nd.
4.	-do-	-do-	Deogarh	Kharyan U.F.	132.23	50	Boun-dary of Mahal Suma-lang.	Nala.	Culti-va-tion.	Mohal Muthi Baz-gan.

Simla-2, the 22nd October, 1973

No. 8-1/73-SF.—Whereas it is considered necessary that portion of the forest specified in this notification shall be closed for a period of 20 years or such shorter period as may be deemed sufficient and that the rights of private persons in or over such portion shall be suspended during such period for the purpose of regeneration and artificial restocking.

And whereas the remainder of such forest is sufficient, and in a locality reasonably convenient for the due exercise of the rights likely to be suspended in or over the portion to be so closed.

And whereas it is further considered necessary to prohibit the doing of any or all of the acts mentioned in clause (c) of section 30 of the Indian Forest Act, 1927 (XVI of 1927).

Now, therefore, in exercise of the powers conferred by section 30 of the Indian Forest Act (XVI of 1927), the Governor, Himachal Pradesh is pleased to declare that the portion of the forests situated in Jogindernagar Range, Mandi Forest Division as per Schedule given below, shall be closed for a period of 20 years or such shorter period as may be deemed sufficient from the date of this notification and that the rights of private persons in or over such portion shall remain suspended during the said period and he is further pleased to prohibit from the date of this notification:—

- (i) quarrying and removal of stones;
- (ii) burning of lime and charcoal;
- (iii) breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose;
- (iv) grazing by all kinds of animals throughout the year;
- (v) lopping and cutting of trees and bushes throughout the year;
- (vi) cutting of grass throughout the year; and
- (vii) collection or subjection to any manufacturing process; or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting may be permitted free to rightholders on permits to be issued, on such terms and conditions as may be made and imposed, at the discretion of the Divisional Forest Officer, Mandi Forest Division.

SCHEDULE

Sl. No.	Name of District	Name of Tehsil	Name of Illaqua	Name of Forest	Total area of forest in hect.	Area closed in hect.	Boundaries			
							North	East	West	South
1	2	3	4	5	6	7	8	9	10	11
1	Mandi	Jogindernagar.	Nerklan	U.F. Makreri (I)	13 hect.	12	PWD road Jogindernagar to Neri.	Chhatri village & cultivation.	Cultivated land of Basahi.	Samlat village & Nala.
2	-do-	-do-	-do-	U.F. Makreri (II)	23	20	Boundary of Village Brahal U.F. Bhahori Dhar.	Mohal Bhadiyarai.	Nala & cultivation of village Makreri.	Cultivation and village Khol.
3	-do-	-do-	-do-	Bhabori Dhar U.F.	674.21	16	Vill. Darkoti & cultivation.	Chrand & J. Nagar Road.	U.F. Bhabori Dhar.	Cultivation & Village Kufro.
4	-do-	-do-	-do-	Bagra Dhar U.F.	512.74	25	Charand land	Malkiti grass land.	Cultivated land of Dul Village.	Village Dul.
5	-do-	-do-	-do-	U.F. Mayhot	16.59	10	Cultivation of village Mayhot.	Uhl River	Village Path Mayhot Skhtry.	Cultivation.

Simla-2, the 22nd October, 1973

No. 8-2/73-SF.—In pursuance of the provisions of clause (b) of section 30 of the Indian Forest Act, 1927 (XVI of 1927) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to declare that the portion of the protected forests specified in the Schedule to this notification and situated in Kulu district shall be closed for a period of fifteen years for the purpose of regeneration and artificial restocking from the date of this notification or for such shorter period as may be found sufficient and

that the rights of private persons to pastures and forest produce in or over the said area shall remain suspended during the period:—

SCHEDULE

Sl. No.	District	Tehsil	Kothi	Name of Forest	Total area (hact.)	Area to be closed (hact.)	Boundaries	Remarks.
1	2	3	4	5	6	7	8	9
1.	Kulu	Kulu	Maharaja	Kakarnal	1603	40	North.—Saran Village & cultivation. South.—Bhaya Chok. East.—Mohal khad. West.—III class Forest.	
2.	-do-	-do-	-do-	Dodni Nal (Dora Nal).	-do-	40	North.—Pah Nal. South.—Nagni Nal. East.—III class forest. West.—III class forest.	Closed to all rights except the right of way & water along specified route.
3.	-do-	-do-	-do-	Bhura Joll	-do-	40	North.—Temple and cultivation. South.—Thohara Nal. East.—Khokhan III. West.—Kareri III.	
4.	-do-	-do-	Kais	Pinchhi Dhar	6665	50	North.—Raugi Nal. South.—Balogi. East.—Raugi Village. West.—Village Path.	
5.	-do-	-do-	Tarapur	Bakar Kiara	1066	50	North.—Bhatra. South.—III class forest & cultivation. East.—Baligahr Village. West.—Barasar.	
6.	-do-	-do-	Chong	Chila-age No. 2.	1100	40	North.—Sarsai Village & III class forest. South.—P.W.D. road. East.—Chila-age No. I. West.—Parbatti nala.	Closed to all rights except the right of way and water.
7.	-do-	-do-	Harkandi	Chhinjra No. 3.	484	14	North.—P.W.D. road Bhuin to Manikaran. South.—Chhinjra Village. East.—Dharmor Village. West.—P.W.D. road & closed area Chhinjra No. 2.	
8.	-do-	-do-	Kotkandi.	Makraher	3308	20	North.—Markanda Temple & cultivation. South.—Beas River. East.—Hurla Nala & Village Tharas. West.—Beas River.	
9.	-do-	-do-	Khokhan	Bindra Ban Bihal (Malagah).	1193.2	3.10	North.—Forest Colony. South.—Bhuntar Bazar. East.—Beas River. West.—Private land.	

Simla-2, the 22nd October, 1973

No. 8-1/73-SF (CMD).—WHEREAS it is considered necessary that portion of the forest specified in the schedule to this notification shall be closed for a period as given against each of 20 years of such short period as may be deemed sufficient and that the rights of private persons in or over such portion shall be suspended during such period for the purpose of regeneration and artificial restocking.

AND WHEREAS the remainder of such forest is sufficient and in a locality reasonably convenient for the due exercise of rights likely to be suspended in or over the portion so closed.

AND WHEREAS it is further considered necessary to prohibit the doing of any or all of the acts mentioned in clause (c) of section 30 of the Indian Forest Act, 1927 (XVI of 1927).

NOW, THEREFORE, in exercise of the powers conferred by section 30 of the Indian Forest Act (XVI of 1927), the Governor, Himachal Pradesh is pleased to declare that the portion of the forests showing in the statement situated in Katuala Range, Mandi Forest Division as per schedule given below, shall be closed for a period of 20 years or such short period as may be deemed sufficient from the date of this notification and that the rights of private person in or over such portion shall remain suspended during the said period and he is further pleased to prohibit from the date of this notification:—

- (i) quarrying and removal of stones;
- (ii) burning of lime and charcoal;
- (iii) breaking up or clearing of land for cultivation, for building, for herding cattle or for any other purposes;
- (iv) grazing by all kinds of animals throughout the year;
- (v) lopping and cutting of trees and bushes throughout the year;
- (vi) cutting of grass throughout the year; and
- (vii) collection or subjection to any manufacturing process or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting may be permitted free to right holders on permits to be issued, on such terms and conditions as may be made and imposed at the discretion of the Divisional Forest Officer, Mandi Forest Division.

SCHEDULE

Sl. No.	District	Tehsil	Illaqia	Name of Forest	Total area of forest	Area closed	Boundaries			
							North	South	East	West
1	2	3	4	5	6	7	8	9	10	11
1.	Mandi	Joginder-nagar	Amargarh	Druni U.P.F.	240 hact.	100 hact.	Chilru Thali Village.	Nog Village	Bahra Amar-garh	Druni Village
2.	-do-	-do-	-do-	Wangan U.P.F.	120	40	Bhubhu Village.	Hurang D.P.F.	Farehar Village.	Swar Villag
3.	-do-	-do-	Kathog	Kathog U.P.F.	80	20	Sangh Dhar Village.	Kathog Village.	Pakhra	Batehar Village.
4.	-do-	-do-	-do-	Balh U.P.F.	120	20	Traila Village.	Uhal River	Tikar Village	Balh village
5.	-do-	Mandi	Uttarsal	Bambola D.P.F.	12.95	12.95	Jamu Nal D.P.F.	Khobla D.P.F.	Chikhari U.P.F.	Bambola Village.
6.	-do-	-do-	-do-	Kahaun D.P.F.	104	60	Kahaun Village.	Sarkidhar D.P.F.	Mandoli Village.	Halgarh U.P.F.
7.	-do-	-do-	-do-	Halgarh U.P.F.	115	60	Masai Village.	Penderi Village.	Kahun U.P.F.	Halgarh Village.
8.	-do-	-do-	-do-	Tandi Bad-aun U.P.F.	56	40	Sarkaryar Village.	Badaun Village.	Kurangdhar U.P.F.	Bunga Village.
9.	-do-	Joginder-nagar.	Amargarh	Malwara D.P.F.	147.60	71	The part of Malwara D.P.F.	Malwara D.P.F.	Bragan Vill-age & part of Malwara D.P.F.	Balvani Vill-age & culti- vation.
10.	-do-	-do-	-do-	Jungdhar U.P.F.	80	70	Village Algan & cultivation.	Ridge & Algan U.P.F.	Malwara U.P.F.	Ridge & Vil- lage Dargahar
11.	-do-	-do-	-do-	Chalaudhar D.P.F.	249.29	249.29	Mandra D.P. F. & Village.	Mandra D.P. F. & Village.	Mandra D.P. F. & Village.	Nalaha & cultivation & Himgarh D.P.F.

P. K. MATTOO,
Secretary.

GENERAL ADMINISTRATION DEPARTMENT

(D—Section)

NOTIFICATIONS

Simla-2, the 17th October, 1973

No. 19-1/73-GAD.—The Governor, Himachal Pradesh is pleased to constitute State-Level Publicity Co-ordination Committee consisting of the following:—

1. Chief Minister .. Chairman.
2. Chief Secretary .. Vice-Chairman.
3. Secretary (GAD) .. Member.
4. Secretary (Education) .. Member.
5. Secretary (Health & F.P.) .. Member.

6. Secretary (Agriculture) .. Member.
7. Station Director A. I. R. Simla .. Member
8. Information Officer, Press Information Burea, Government of India, Jullundur .. Member.
9. Regional Officer, Directorate of Field Publicity Government of India, Chandigarh. .. Member.
10. Dy. Assistant Director

Songs and Drama, Government of India

Member.

11. Director of Public Relations, Himachal Pradesh
Simla-2

Convenor.

2. The Committee may co-opt additional members as and when necessary.

3. Terms of reference of the committee will be as under:—

The State Level Publicity Co-ordination Committee will co-ordinate the activities of the media units of the Ministry of Information and Broadcasting, Government of India (working in or for Himachal Pradesh) on the one hand and the Publicity Agencies of the State Government on the other. It will define major themes of publicity and lay down the broad outlines of publicity campaigns for the achievement of mutually accepted communication goals in the socio to strengthen co-operation and collaboration in the field of information.

4. The meetings of the committee will be held as State Capital viz. at Simla.

5. The committee will meet at least once in three months or oftener, if necessary, in connection with special campaigns or situations.

6. The Inter Media Publicity Co-ordination Committee of the Government of India in which the State Director of Public Relations is a member, will periodically review the implementation of the decisions taken by the State-Level Publicity Co-ordination Committee.

7. T.A. and D.A. will be drawn by the members of the committee from their respective Departments.

By order,
U. N. SHARMA,
Chief Secretary.

Simla-2, the 23rd October, 1973

No. 16-50/72-GA.A.—In continuation of this Department notification of even number, dated the 29th January, 1973, it has been decided that Saturday, the 10th November, 1973 corresponding to Kartika 19, 1895 (Saka Era), will be observed as Public Holiday in all the Educational Institutions where Second Saturday is not being observed as a holiday, on account of Guru Nanak birthday.

U. N. SHARMA,
Chief Secretary.

HEALTH AND FAMILY PLANNING DEPARTMENT NOTIFICATION

Simla-2, the 19th October, 1973

No. 1-12/73-H&FP.—On the recommendations of Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to appoint Dr. R. S. Pathania as Dental Surgeon in the scale of Rs. 350-25-500-30-590/30-830-35-900 with effect from 12-3-73 (P. N.). He will be on probation for a period of two years.

A. D. DHANTA,
Under Secretary.

INDUSTRIES DEPARTMENT NOTIFICATIONS

Simla-2, the 18th October, 1973

No. 5-91/73-SI (Estt).—Consequent upon the acceptance of the offer of appointment sent to him vide Memo. No. 5-65/73-SI (Estt.), dated the 10th July, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri Teja Singh Thakur on *ad hoc* basis in the post of Mining Officer, Class II Gazetted in the pay scale of Rs. 300-35-600 and to post him as such at Chamba with effect from the 21st July, 1973 (P. N.), for a period of six months in the first instance or till the post is filled up on regular basis, whichever is earlier.

P. K. MATTOO,
Secretary.

CERTIFICATE OF APPROVAL

Simla-2, the 19th October, 1973

No. 10-110/70-SI (MM).—This is to certify that M/s. Cement Corporation of India, Ltd., 5-A, Bhadur Shah Zafar Marg, New Delhi, is approved as a person who is qualified to acquire prospecting licence and Mining Lease in respect of all minerals except Petroleum and Natural Gas in the territory of Himachal Pradesh under the Mineral Concession Rules, 1960.

2. The Certificate already granted and which expired on the 31st December, 1972, is renewed upto 31st December, 1973.

By order,
P. K. MATTOO,
Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-2, the 24th October, 1973

No. 9-12/73-PWB.—Whereas the Governor, Himachal Pradesh is satisfied that land is needed by the Government at the public expense for a public purpose, namely for the construction of water supply scheme, Simla in Simla district, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, U. S. Club, Simla-1, is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Land Acquisition Collector, Simla, Bilaspur and Mahasu district, Simla-1 and the Executive Engineer, Simla Division No. II, Himachal Pradesh P. W. D., Simla-4.

In view of the urgency of the acquisition, the Governor, Himachal Pradesh, in exercise of the powers under section 17(i) of the said Act, is further pleased to direct that the Land Acquisition Collector shall proceed to take possession out of the land herein

specified any waste or arable land in accordance therewith.

SPECIFICATION

District: SIMLA

Tehsil: SIMLA

Village	Khasra No.	Area Big.	Bis.
1	2	3	4
MALOOOTH	120/1	0	-2
	86/1	0	1
	70/1	0	1
	121/1	0	1
	118/1	0	3
	171/1	0	1
	186/1	0	0
	187/1	0	1
	61/1	0	2
	170/1	0	1
	189/1	0	0
	151/1	0	3
	53/1	0	1
	30/1	0	0
Total	..	0	17

1	2	3	4
BOH	6/1	0	2
	11/1	0	2
	12/1	0	3
Total	..	0	7

By order,
H. S. DUBEY,
Secretary.

REVENUE DEPARTMENT

NOTIFICATION

Simla-2, the 24th October, 1973

No. 2-38/65-Rev-I.—The Financial Commissioner, Himachal Pradesh is pleased to order the continued *ad hoc* appointment of S/Shri Yadopati, Sewak Ram, Lal Chand and Harnam Singh as Tehsildars in the scale of Rs. 350-800 upto 31-12-1973 or till these posts are filled on a regular basis, whichever is earlier. This *ad hoc* appointment will not give them any benefit for seniority or regular promotion.

By order,
S. R. MAHANTAN,
Deputy Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनायें इत्यादि

OFFICE OF THE DEPUTY COMMISSIONER CHAMBA DISTRICT, CHAMBA

OFFICE ORDER

Chamba, the 2nd November, 1973

No. Pnt. CH. 13(6)/63.—Whereas a police report, dated 8th September, 1973 regarding the arrest of Shri Hoshiara son of Gangu Sarpanch, Panchayat Bhadiyar under section 302/201 I.P.C. has been received and the case No. 61, dated 1-9-1973 under section 302/201 I.P.C. is under investigation with the Chamba police.

And whereas under rule 6(d) of the Himachal Pradesh Nyaya Panchayat Rule, 1972 his continuance as Sarpanch Nyaya Panchayat Bhadiyan is not desirable in the public interest.

Now, I, I. K. Suri, Deputy Commissioner, Chamba in exercise of the powers vested in me under section 199 of Himachal Pradesh Panchayati Raj Act, 1968 read with Rule 6 of Himachal Pradesh Nyaya Panchayat Rule, 1972 hereby place the said Shri Hoshiara Sarpanch under suspension with immediate effect and further order that the said Shri Hoshiara Sarpanch will handover the charge to Naib-Sarpanch Nyaya Panchayat Bhadiyan.

I. K. SURI,
Deputy Commissioner, Chamba.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Kulu, the 29th September, 1973

No. SEVI/L-7/GI.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for

a public purpose, namely for construction of Kulu-Karon Road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P. W. D., is hereby directed to take order for the Acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P. W. D., Mandi.

SPECIFICATION

District: KULU

Tesil: KULU

Village	Khasra No.	Area Big.	Bis.
1	2	3	4
DUGHILUG	5475/1	0	1
	5648/1	0	1
	5648/2	0	1
	5698/1	0	2
	5640/1/1	0	1
	5688/2/1	0	3
	5643/1	0	6
	5697/1	0	4
	5545/1	0	1
Total	..	1	0

K. C. SHANDIL,
Superintending Engineer,
6th Circle, H. P. P. W. D., Kulu.

Dharamsala, 11th October, 1973

No. SEV/LA. DH-30/73/IWS.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Bhawarna-Khera-Alampur road. It is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provision of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra District, Kangra.

SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Mauza/Tikka	Khasra No.	Area	
		Big.	Bis.
1	2	3	4
BHAWARNA/ THELAR	114/1	0	0
	113/1	0	1
	109/1	0	6
	85/1	0	12
	86/1	0	4
	87/1	0	4
	90/1	0	0
	91/1	0	0
	94/1	0	5
	98/1	0	3
	63/1	0	6
	95/1	0	1
	83/1	0	8
	74/1	0	9
	73/1	0	13
	82/1	0	6

16

Total ..

BHATTI/	420/1	0	15
BHATTI	365/1	0	1
	362/1	0	1
	361/1	0	7
	376/1	0	1
	360/1	0	2
	359/1	0	2
	304/1	0	15
	300/1	0	4
	356/1	0	6
	353/1	0	8
	353/1	0	1
	348/1	0	5
	352/1	0	3
	349/1	0	2
	346/1	0	3
	350/1	1	1
	343/1	1	19
	342/1	0	2
	358/1	1	7

Total ..

8 5

1	2	3	4
BHATTI/	161/1	7	0
KHAKHERU	122/1	0	9
	Total ..	7	9
RAJPUR/CHANHER	263/1	0	17
	235/1	0	8
	262/1	4	9
	261/1	0	7
	268/1	0	1
	268/2	8	9
	247/1	1	7
	246/1	0	6
	245/1	1	1
	241/1	1	14
	203/1	3	13
	272/1	0	2
	Total ..	22	14

PUNER/HAR

55/1	1	10
57/1	0	10
142/1	0	2
143/1	1	17
145/1	0	1
146/1	0	1
147/1	0	1
148/1	0	1
156/1	0	0
69/1	0	7
70/1	0	1
139/1	0	6
138/1	0	3
135/1	0	6
135/2	0	7
165/1	0	3
166/1	0	1
176/1	0	1
177/1	1	7
178/1	1	5
179/1	0	2

Total ..

8 12

PUNER/KANGWAL

411/1	0	1
410/1	0	1
473/1	0	13
471/1	0	13
341/1	2	8
408/1	0	13
342/1	0	12
345/1	0	0
343/1	0	4
344/1	0	1
340/1	0	2
321/1	2	18
322/1	0	18
301/1	0	16
298/1	0	1
296	0	2
297/1	0	3
302	0	3
466/303/1	0	4
295/1	0	11
427/1	0	4

1	2	3	4	1	2	3	4
	576/429	0	1		104/1	0	2
	577/429	0	1		105/1	0	2
	428	0	1		106	1	5
	431/1	0	1		97/1/1	0	0
	432/1	0	1		445/1	0	18
	491/1	0	11		544/1	0	1
	478/288	1	15		543/1	0	18
	478/288/2	0	1		1/1	2	3
	290/1	0	1				
	287	0	5				
	283/1	0	1		Total	..	5 4
	284/1	0	5				
	434/1	0	3		Grand Total	..	43 19
	Total	..	15 14				

PUNER/MALNOO 541/1
107/1

0 2
0 3

R. K. SARKAR,
Superintending Engineer, 5th Circle, H.P.P.W.D., Dharamsala.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनैन्शियल कमिश्नर तथा कमिश्नर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

**EDUCATION DEPARTMENT
(TECHNICAL EDUCATION)
NOTIFICATION**

Simla-2, the 11th October, 1973

Not. 15-49/72-Edu-B (TE).—In exercise of the powers vested in him under the proviso to Article 309 of the Constitution, the Governor, Himachal Pradesh, is pleased to make the following rules, in consultation with the Himachal Pradesh Public Service Commission in so far as categories of posts mentioned in Annexure I to these Rules are concerned and also the rules in respect of categories of posts indicated in Annexure II, with regard to the following matters, namely:—

- the method of recruitment to the Himachal Pradesh Technical Education Department Class III Service;
- the qualifications necessary for appointment to such service and posts; and
- certain conditions of service of persons appointed to such service and posts for the purposes of probation, seniority, promotion and confirmation.

PART I—GENERAL

1. Short title and commencement.—(a) These rules may be called the Himachal Pradesh Technical Education Department Class III Service Rules, 1973.

(b) These rules shall come into force with immediate effect.

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context,—

- “annexure” means an annexure to these rules;
- “backward classes” mean the class, castes, races or communities declared as backward by the Himachal Pradesh Government from time to time;
- “commission” means the Himachal Pradesh Public Service Commission;
- “Director” means the Director of Technical Education, Himachal Pradesh;

- “direct recruitment” means recruitment made otherwise than by promotion;
- “ex-servicemen/Released Indian Armed Forces Personnel” means the ex-service officers/men of the Armed Forces of the Indian Union who joined service or commissioned before 1st November, 1962 and released at any time thereafter;
- “Governor” means the Governor of Himachal Pradesh;
- “Government” means the Government of Himachal Pradesh in the administrative Department;
- “member” means a member of the Himachal Pradesh Technical Education Class III Service;
- “recognised University/Board” means any University/Board incorporated by law in force in India or any other University/Board which is declared by the Government of India, or the Government of Himachal Pradesh to be a recognised University/Board for purposes of these rules;
- “scheduled castes” means the castes, races or tribes or parts or groups within castes, races or tribes specified in the Schedule to the Constitution (Scheduled Castes) Order, 1950, as amended by section 19 (1) read with 1st schedule to the State of Himachal Pradesh Act, 1970 (53 of 1970) and as it may further be amended from time to time;
- “scheduled tribes” means the tribes or tribal communities or parts of groups within tribes, tribal communities specified in the Schedule to the Constitution (Scheduled Tribes) Order, 1950, as amended by section 20 (1) read with 3rd Schedule to the State of Himachal Pradesh Act, 1970 (53 of 1970) and as it may further be amended from time to time; and
- “service” means the Himachal Pradesh Technical Education Department Class III Services.

PART II—RECRUITMENT TO SERVICE

3. Character of posts.—The character (i.e. designation, grade etc.) of the various posts included in the service and their scales of pay shall be as indicated in the Annexures to these rules.

4. *Authority Competent to make appointments.*—All appointments to the posts in the service shall be made by the Director Technical Education in accordance with these rules.

5. *Nationality, eligibility and age etc.*—A candidate for appointment to any post in the service must be—

- (1) (a) a citizen of India, or
- (b) a citizen of Sikkim, or
- (c) a subject of Nepal, or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India;

Provided that if he belongs to category (c) and (d) he must be a person in whose favour a certificate of eligibility has been given by the Government of India:

Provided further that if he belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become citizen of India. A citizen in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(2) Unless he is already in Government Service, must produce—

- (i) a certificate of good moral character from the Principal Academic Officer of his/her University/College/School or head of his/her educational or technical institution last attended;
- (ii) certificate of good moral character from 2 responsible persons, not being his relatives, who are well acquainted with him in private life and are unconnected with his University/College/Technical institution;
- (iii) a medical certificate, as required under rules of the Government;
- (iv) no person who has more than one wife living or who having a spouse living marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to post(s) in the service; and
- (v) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to post in the service;

Provided that the Government may, if satisfied that there are specific grounds for doing so, exempt any person from the operation of rules in clauses (iv) and (v) above:

(3) must not be less than 18 years and not more than 27 years of age on the date of appointment:

Provided that minimum and maximum age limit as prescribed, may be relaxed in accordance with the provisions of the Himachal Pradesh Government Civil Service Rules or other relevant rules:

Provided further that the maximum age limit may be relaxed in the case of scheduled castes/tribes candidates, displaced persons and other special categories in accordance with the orders/instructions issued by the Government from time to time.

6. *Educational and professional qualifications of candidates.*—The educational and professional qualifications of candidates for appointment to the various posts in the service shall be as specified in Annexures I & II to these Rules.

7. *Method of recruitment.*—Posts in the service shall be filled in either by promotion or by direct recruitment as has been specified in Annexures I & II to these Rules.

8. *Special provision of reservation of posts for scheduled castes/tribes and the released Indian Armed Forces Personnel and backward classes.*—Such percentage of posts as may be prescribed by the Government from time to time, shall be reserved for the following special categories:—

- (i) scheduled castes;
- (ii) scheduled tribes;
- (iii) ex-servicemen or the released Indian Armed Forces Personnel; and
- (iv) backward classes:

Provided that the minimum qualifications prescribed for the posts in the service are satisfied by them. A roster shall be maintained for this purpose as required under standing instructions of the Government on the subject. In any one recruitment year the total number of vacancies reserved for scheduled castes/tribes, ex-servicemen or released Indian Armed Forces Personnel and backward classes, taken together shall not exceed 50% of the total number of vacancies to be filled up in the service.

9. *Appointment by promotion/direct recruitment as the case may be.*—Appointments to the service under rule 7 shall be made by the appointing authority on the recommendations of the Departmental Promotion Committee, constituted by the Government from time to time, or on the recommendations of the Himachal Pradesh Public Service Commission, as the case may be.

PART III—CONDITIONS OF SERVICE

10. *Probation of Members of the Service.*—(a) Members of the service who are appointed against permanent vacancies shall, on appointment to a post in the service, remain on probation for a period of two years in respect of direct recruits and for a period of one year in the case of promotees;

(b) Any period, after appointment to the post in the service, spent on deputation on a corresponding or a higher post shall count towards period of probation fixed under sub-rule (a) above.

Explanation.—(i) Approved officiating service shall be taken as period spent on probation but no member who is officiating in any appointment shall on completion of the probationary period prescribed, be confirmed until he is appointed against a permanent post in the service;

(ii) If the work or conduct of any member during his period of probation is, in the opinion of the appointing authority, not satisfactory, the appointing authority may dispense with his services or revert him to his former post if he has been appointed to that post otherwise than by direct recruitment. The appointing authority may extend the period of probation and thereafter pass such orders on the expiry of period of probation; provided always that the total period of probation including extension, if any, shall not exceed four years.

11. *Confirmation of members of service.*—On completion of the period of probation the authority competent

to make appointment to the posts in the service as prescribed in rule 4, may confirm members of service in the posts, subject to the availability of permanent posts, on the recommendations of the Departmental Promotion Committee constituted for the purpose from time to time.

Explanation.—For the purpose of these rules, persons who are confirmed retrospectively with effect from a date earlier than the issue of these rules shall be considered to be permanent employees of the grade.

12. *Pay scales.*—Members of the service shall be entitled to the pay scales as given in Annexures I & II to these rules, subject to their revision by the Government from time to time.

13. *Discipline.*—In respect of discipline, punishment and appeals, the members of service shall be governed by the provisions of rules which are made by the Government or are made applicable by the Government in this behalf, from time to time.

14. *Seniority of Members of Service.*—(1) Persons appointed in a substantive/officiating capacity to a grade prior to the issue of these rules, shall retain the relative seniority already assigned to them or such seniority as may thereafter be assigned to them under the existing orders applicable to their cases and shall be senior to all others in that grade.

(2) Subject to the provisions of sub-rule (3) below permanent officers/officials of each grade shall be ranked senior to persons who are officiating in that grade.

(3) *Direct Recruits.*—Notwithstanding the provisions of sub-rule (2) above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment, on the recommendations of the selecting authority, persons appointed as a result of earlier selection being senior to those appointed as a result of a subsequent selection:

Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the orders of confirmation and not the original order of merit:

Provided further that a person who does not join within the specified period shall lose his seniority according to the select list and shall rank in the seniority next to the person who joined earlier:

Provided further that he shall not lose his seniority, if the fact of his joining later was caused by the circumstances beyond his control and if the appointing authority is satisfied that this was so.

(4) *Promotees.*—

(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different than the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate list in the order of their relative seniority in their respective grades; thereafter the Departmental Promotion Committee shall select

persons for promotion from each list, on the basis of seniority subject to the rejection of unfit, and shall arrange all the candidates selected from different list(s) in a consolidated form of merit (select list) according to prescribed percentage for each grade. This merit/selection will determine the seniority of the persons on promotion to the higher grade.

(5) *Relative seniority of direct recruits and promotees.*—The relative seniority of direct recruits and promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively, as provided in these rules.

EXPLANATORY MEMORANDUM

Sub-rule 4 (1).—Where promotions are made on the basis of selection by a Departmental Promotion Committee, the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority subject to the rejection of unfit, the seniority of persons considered fit for promotion, at the same time, shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior person who had superseded him.

Sub-rule (5).—A roster shall be maintained, based on the reservations for direct recruitment and promotion, as provided in the recruitment and promotion rules. Appointments shall be made in accordance with this roster and seniority be determined accordingly.

Illustration.—Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment, each direct recruit shall be ranked in seniority below three promotees and where 90% of the posts in the service are to be filled up by direct recruitment and 10% from amongst the junior officers/officials, each promotee shall be ranked in seniority below 9 direct recruits. If for any reasons, a direct recruit or a promotee ceases to hold the appointment in the grade, the seniority list shall not be rearranged merely for purpose of ensuring the proportion referred to above.

15. *Leave and Pension.*—In respect of leave, pension and other (cognate) matters not specifically mentioned in these rules, the members of service shall be governed by the Rules/Instructions/Executive Orders as are made applicable by the Government from time to time.

16. *Relaxation of Rules etc.*—Where the Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing relax any of the provisions of these rules with regard to any class or category of persons/posts.

PRAKASH CHAND,
Secretary.

Sl. No.	Name of posts	No. of Posts	Classification	Scale of Pay	Whether selection post or non-selection post	Age for direct recruits	Minimum educational and other qualifications for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in case of promotion	Period of probation, if any
1	2	3	4	5	6	7	8	9	10
1.	Lecturers/Junior Lecturers (Maths./Eng./Physics/Chemistry).	9	Class III	Rs. 300-25-600.	Selection	27 years and below but not less than 18 years.	Essential.—Second Class Master's Degree in the subject concerned of a recognised University.	N. A.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.
2.	Senior Drawing Instructor Civil/Mechanical.	2	-do-	Rs. 450-25-500.	Non-selection.	-do-	Essential.—At least 2nd class degree or 1st class diploma in the trade concerned from a recognised University/Institution, together with one year's professional experience in respect of degree holders while 5 years' professional experience in case of diploma holders.	Age—No Qualification—Yes.	-do-
3.	(i) Junior Drawing Instructors/ Drawing Instructors (Mechanical).	4	Class III	Rs. 200-10-280/15-430-20-450 plus Rs. 50 p.m. S.P.	Non-selection.	27 years and below but not less than 18 years.	Essential.—Second Class National Certificate or its equivalent qualifications in Mechanical Engineering from a recognised University/Institution with one year's drawing office experience.	Age—No Qualifications—Yes.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.
	(ii) Jr. Drawing Instructors/ Drawing Instructors (Electrical).	2	-do-	-do-	-do-	-do-	Essential.—2nd Class National Certificate or its equivalent qualifications in electrical trade, from a recognised University/	N.A.	-do-

I

Method of recruitment whether by direct recruitment or by promotion/deputation/transfer	In case of recruitment by promotion/deputation/transfer, grades from which promotion/ deputation/ transfer to be made	Composition of the Departmental Promotion Committee	Circumstances under which Himachal Pradesh PSC is to be consulted
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By direct recruitment

N.A.

D.P.C. to be presided over by the Chairman of the Himachal Pradesh PSC or a member thereof to be nominated by him.

As required under the law.

By promotion failing which by direct recruitment.

By promotion.—From amongst Instructors, Drawing Instructors, Demonstrators and Jr. Drawing Instructors of the respective trades.

-do-

-do-

75% by direct recruitment and 25% by promotion failing which 100% by direct recruitment.

By promotion.—From amongst the Draftsmen (Mech).

D.P.C. to be presided over by the Chairman of the Himachal Pradesh PSC or a member thereof to be nominated by him.

As required under the law.

By direct recruitment

N.A.

N.A.

-do-

1	2	3	4	5	6	7	8	9	10
							Institution with one year's drawing office experience.		
4.	Jr. Drawing Instructors/Drawing Instructors (Civil).	4	Class III	Rs. 200-10-280/15-430-20-450 plus Rs. 50 p.m. S.P.	Non-Selection	27 years and below but not less than 18 years.	Essential.— 2nd Class National Certificate or its equivalent qualifications in the Civil Engineering from a recognised University/Institution with one year's drawing office experience.	Age—No Qualifications—Yes.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.
5.	Demonstrators (Mechanical)/Electrical/Civil (Engineering).	14	-do-	-do-	N.A.	-do-	Essential.— National Certificate or its equivalent qualifications in the trade concerned from a recognised/University/Institution with one year's professional experience.	N.A.	-do-
6.	(i) Instructors (Mechanical)/Electrical Engineering.	7	-do-	-do-	N.A.	-do-	-do-	-do-	-do-
	(ii) Instructor (Automobile).		-do-	-do-	N.A.	-do-	Essential.—(i) Matric or equivalent with Maths. & Science. (ii) National Trade Certificate; or National Apprenticeship Certificate; or Apprenticeship in an Industrial concern for a period of not less than 3 years; or Persons from Defence Service having not less than 3 years service in the trade concerned; or Diploma in the appropriate	N.A.	-do-

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75% by direct recruitment and 25% by promotion failing which 100% by direct recruitment.

Promotion.—From amongst the Draftsmen (Civil).

D.P.C. to be presided over by the Chairman of Himachal Pradesh PSC or a Member thereof to be nominated by him.

As required under the law.

By direct recruitment

N.A.

N.A.

As required under the law.

(i) By direct recruitment

N.A.

N.A.

-do-

(ii) By direct recruitment

N.A.

N.A.

-do-

1	2	3	4	5	6	7	8	9	10
							trade concerned. (iii) At least 5 years' practical training including training as shown against clause (ii) above.		
7. Instructors (Science/Mathematics).	3	Class III	Rs. 220-8-300-10-400/20-500.	N.A.	27 years or below but not less than 18 years.	Essential.—Graduate of recognised University in the subject concerned with degree/diploma in teaching.	N.A.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.	
8. Instructors (Humanity/Language).	1	-do	-do-	-do-	-do-	-do-	-do-	-do-	-do-
9. Mechanical Engineering Draftsman.	1	-do	Rs. 200-10-280/15-430-20-450.	N.A.	-do-	Essential.—2nd Class Diploma in Mechanical Engineering or equivalent qualifications from a recognised University/Institution with one year's drawing office experience.	-do-	-do-	
10. Overseer (Civil).	1	-do	-do-	N.A.	-do-	Essential.—2nd Class Diploma in Civil Engineering from a recognised Institution with one year's practical experience.	-do-	-do-	
11. Physical Training Instructors.	1	Class III	Rs. 220-8-300-10-400/20-500.	N.A.	27 years or below but not less than 18 years	Essential.—Graduate with diploma/degree in Physical Education both of a recognised University/Institution.	N.A.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.	

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By direct recruitment failing which by deputation.

By deputation of Trained Graduate Teachers in the subject concerned from the Education Department of the Government.

N.A.

As required under the law.

-do-

-do-

-do-

-do-

By direct recruitment

N.A.

N.A.

-do-

By direct recruitment

-do-

-do-

-do-

By direct recruitment

N.A.

N.A.

As required under the law.

1	2	3	4	5	6	7	8	9	10
12. Workshop Foreman.	1	Class III	Rs. 220-10-280/15-430-20-450.	Non-selec- tion.	N.A.	N.A.	N.A.	N.A.	2 years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.
13. Librarian	1	-do-	Rs. 160-10-280/15-400.	N.A.	27 years or below but not less than 18 years.	Essential.—Major with a Certificate in Library Science from a recognised University/Institute.	N.A.	-do-	
14. Boiler Instructor.	1	-do-	-do-	N.A.	-do-	Essential.—Matri- culate with III Class Boiler Certi- ficate (under Boilers Act) and having 1 year's experience in operations and maintenance of boilers and steam engines.	N.A.	-do-	
15. Head Clerks,	3	-do-	Rs. 225-500	Non- selection.	N.A.	N.A.	N.A.	-do-	
16. Accountants.	2	Class III	Rs. 160-400	Non- selection.	N.A.	N.A.	N.A.	-do-	

- Note:—1. Upper age-limits for direct recruits will not be applicable to candidates already in the service of the
 2. Upper age-limits are relaxable for Scheduled Castes Tribes candidates and other categories of persons
 ment.
 3. Age and qualifications relaxable at the discretion of the Commission in case of candidates otherwise
 4. Provisions of col. 11 and 12 are to be revised by the Government in consultation with the
 3 are increased or decreased.
 5. Age limits for direct recruits will be reckoned from the last date fixed for receipt of applications.
 6. When the Government is of the opinion that it is necessary or expedient to do so, it may order
 lic Service Commission relax any of the provisions of these rules with respect to any class
 7. Selection for appointment to these posts shall be made on the basis of viva-voce test preceded,

11	12	13	14
By promotion	By promotion.—From amongst the Workshop Instructor having 2nd Class diploma in Mech. Engineering from a recognised University/Institution with 2 year's practical experience in workshop; or I.T.I./J.T.S. certificate with 5 years' practical experience in workshop.	D.P.C. to be presided over by Chairman of the Himachal Pradesh PSC or a member thereof to be nominated by him.	As required under the law.
By direct recruitment	N.A.	N.A.	-do-
By direct recruitment	N.A.	N.A.	-do-
By promotion only	By promotion.—From amongst the Accountants having at least 3 year's regular service in the grades.	-do-	-do-
By promotion only	By promotion.—from amongst Clerk-cum-Cashiers/Clerks having 6 years' regular service as Clerk and 3 years' regular service as Clerk-cum-Cashier/Clerk-cum-storekeeper.	D. P. C. to be presided over by the Chairman Himachal Pradesh P.S.C. or a Member thereof to be nominated by him.	-do-

Government except in case of posts to be filled in on the basis of competitive exams. to the extent permissible under the general or special orders of the Himachal Pradesh Govern-

well qualified.

Himachal Pradesh Public Service Commission as and when the number of posts under column

by the Commission.

for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public or category of persons.

Syllabus etc. of which shall be determined by the Commission.

Government of Himachal Pradesh Technical Education Department Recruitment

Sl. No.	Name of posts	No. of posts	Classifica- tion	Scale of pay	Whether selection or non- selection post	Age for direct re- cruitment	Educational qualifications and other qual- ifications for direct recruits	Whether age and education- al qualifica- tions prescribed for direct recruits will apply in case of promo- tion	Period of pro- bation, if any
1	2	3	4	5	6	7	8	9	10
1.	Workshop Instructors.	23	Class III	Rs. 140-6- 170/8-200/ 10/300.	N.A.	27 years or below but not less than 18 years.	Should possess J. T. S. /I. T. I. Certificate with 2 year's practical experience in the trade concerned.	—	2 years subject to the provi- sions of rule 10 of these rules.
2.	Instru- ment Re- pairers (Ele- ctrical/ Civil).	2	-do-	-do-	-do-	-do-	should have J. T. S./I. T. I. Cer- tificate in the trade concerned with 2 year's practical experi- ence in the en- gineering con- cerned.	—	-do-
3.	Draftsman (Civil).	1	-do-	-do-	-do-	-do-	Should possess a recognised Draftsman Cours Certificate of a recognised Uni- versity/Institu- tion with 3 years practical experi- ence of office drawing.	—	-do-
4.	Mecha- nic-cnm- Mechanist.	1	-do-	Rs. 120-5- 150/6-180/ 8-200/10- 250.	-do-	-do-	Should possess J. T. S. (Part I) Certificate with 2 years' trade experience; or J. T. S./I. T. I. Certificate with one years' ex- perience in the trade.	—	-do-
5.	Mecha- nic Motor Driving.	1	Class III	Rs. 120-5- 150/6-180/8- 220/10-250.	N.A.	27 years or below but not less than 18 years.	Should have I. T. I. Certificate in Motor Me- chanic of a re- cognised Uni- versity/Institu- tion with one year's experie- nce as mechanic and motor dri- ing.	—	2 years subject to the pro- visions of rule 10 of these Rules.

II

rules for Class III, Service of Technical Education Department, Himachal Pradesh

Method of recruitment whether by direct recruitment or by promotion/deputation	In case of recruitment by promotion/deputation/transfers, grade from which promotion/deputation/transfer to be made	Constitution of Departmental Promotion Committee	Circumstances under which Himachal Pradesh P.S.C. is to be consulted.
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By direct recruitment

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By direct recruitment

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By direct recruitment

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By direct recruitment

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By direct recruitment

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1	2	3	4	5	6	7	8	9	10
6. Skilled Workmen.	12	Class III	Rs. 120-5-150/6-180/8-220/10-250.	N.A.	27 years or below but not less than 18 years.	Should possess a J. T. S. (Part I) Certificate with 2 years' trade experience; or J. T. S/ I. T. I. Certificate with one year's trade experience.	—	2 years subject to the provisions of rule 10 of these Rules.	
7. Physical Training Instructor.	1	-do-	Rs. 120-5-250/10-300.	Non-selection.	-do-	Should be a Matriculate and should possess one year's diploma in Physical Training from a recognised University/Institution.	—	-do-	
8. Librarian.	1	-do-	-do-	-do-	-do-	Should be Matric with a certificate in Library Science, from a recognised University/Institution, besides having 5 years practical experience of working in a good library.	—	-do-	
9. Laboratory Assistants.	2	-do-	Rs. 110/4-130/5-180/6-210-8-250	-do-	-do-	Should have a J.T.S. (Part I) Certificate from a recognised institution, with 2 years' practical experience of working in a laboratory; or	—	-do-	

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By direct recruitment

By direct recruitment

By direct recruitment

By direct recruitment

1	2	3	4	5	6	7	8	9	10
10. Clerk-cum-Cashier.	1	Class III	Rs. 110-4-130/5-180/6-210/8-250 plus Rs. 15 p. m. as special pay.	Non-selection.	27 years or below but not less than 18 years.	Should possess a J.T.S./I. T. I. Certificate with practical laboratory experience.	Age: No 1 year subject to the provisions of rule 10 of these rules.		
11. Junior Stenographer.	1	Class III	Rs. 140-6-170/8-200/10-300.	N.A.	27 years or below but not less than 18 years.	Should at least be a Matriculate of a recognised University besides having a speed of 100 words per minute in shorthand and 35 words per minute in type-writing respectively.	—	2 years subject to the provisions of rule 10 of these rules.	
12. Stenotypist.	2	Class III	Rs. 110-4-130/5-80/6-210/8-250 plus Rs. 25 per month as Special pay.	N.A.	-do-	At least a Matriculate of a recognised University, besides having a speed of 80 and 35 words per minute in shorthand and type-writing respectively.	—	-do-	
13. Clerks/ Clerk-cum storekeeper/store-keepers.	17	-do-	Rs. 110-4-130/5-180/6-210/8-250.	Non-selection.	-do-	At least a Matriculate of a recognised University together with typing speed of 30 words per minute.	—	-do-	

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By promotion

From the clerks on the basis of seniority-cum-merit, provided they fulfil the requisite qualifications viz. should be Matriculate of a recognised University, with two years' experience as a clerk in the Technical Education Department, prescribed for the post.

As prescribed/set up under the rules by the Government from time to time.

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By direct recruitment

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GENERAL ADMINISTRATION DEPARTMENT (C-SECTION) NOTIFICATION

Simla-2, the 9th October, 1973

No. 13-1/73-GA-C.—In exercise of the powers conferred in him under clause 3 of Article 187 of the Constitution of India and all other powers enabling him in this behalf and in consultation with the Speaker, Himachal Pradesh Legislative Assembly, the Governor, Himachal Pradesh is pleased to make the following rules to regulate the recruitment to the posts of Drivers in the Himachal Pradesh Legislative Assembly:—

1. Short title and commencement.—(a) These rules may be called the Himachal Pradesh Legislative Assembly Class III (Drivers) Recruitment Rules, 1973.

(b) These rules shall come into force from the date of issue of this notification.

2. Authority competent to make appointment.—All appointments to the vacant posts of Drivers shall be made by the Secretary of the Himachal Pradesh Legislative Assembly.

3. Procedure for making appointments.—The appointments against vacant posts of Drivers shall be made in the pay scale as approved by the Government. Appointments shall be made after observing all codal formalities and would be subject to the observance of all rules/orders/instructions as issued by the Government from time to time.

U. N. SHARMA,
Chief Secretary.

HOME DEPARTMENT NOTIFICATION

Simla-2, the 2nd November, 1973

No. 1-4/73-Home.—In exercise of the powers conferred under Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following rules in respect of Himachal Pradesh Police Department Class IV Service in regard to the following matters, namely:—

- (i) the method of recruitment to the Himachal Pradesh Police Class IV Service;
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for the purposes of probation, confirmation, seniority and promotion.

RECRUITMENT RULES

PART I—GENERAL

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Police Department Class IV Service (Recruitment, Promotion and certain Conditions of Service) Rules, 1973.

(2) These rules shall come into force from the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context:—

- (a) “appointing authority” means the authority competent to make appointments to the categories of posts in the service specified in Annexure ‘A’ appended to these rules;

- (b) “direct appointment” means an appointment made otherwise than by promotion from amongst the members of the service or by transfer of an official already in the service of the Government;
- (c) “government” means Himachal Pradesh Government;
- (d) “governor” means the Governor of Himachal Pradesh;
- (e) “Members” means a member of Himachal Pradesh Police Department Class IV Service;
- (f) “recognised school” means any school run by the Government or by a Local Body and declared or recognised by the Government;
- (g) “scheduled caste” means castes, races or tribes or parts of groups within castes, races or tribes specified in the Constitution (Scheduled Castes) Order, 1950 as amended by section 19 (1) read with the First Schedule of the State of Himachal Pradesh Act, 1970 (53 of 1970) and as it may further be amended from time to time;
- (h) “scheduled tribes” means the tribes, tribal communities or parts of groups within tribes or tribal community specified in the Schedule to the Constitution (Scheduled Tribes) Order, 1950, as amended by section 20 (1) read with Third Schedule of the State of Himachal Pradesh Act, 1970 (53 of 1970) and as it may further be amended from time to time;
- (i) “service” means the Himachal Pradesh Police Department Class IV Service.

PART II—RECRUITMENT TO SERVICE

3. Character of posts.—The character (*i.e.* designation, grades etc.) of the various posts included in the service and their rates of pay shall be as indicated in the annexure to these rules, subject to the revision of pay scales by the Government from time to time.

4. Authority empowered to make appointments.—All appointments to the posts in the service shall be made by the head of department and heads of offices as the case may be.

5. Nationality, eligibility and age etc.—(1) A candidate for appointment to any post in the service must be;

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a subject of Bhutan, or
- (e) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (f) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon and East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India;

Provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the Government of India and if he belongs to category (f) the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in service subject to his having acquired Indian citizenship.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or an interview conducted by the recruiting authorities and may also provisionally be appointed subject to the necessary certificate being given to him by the Government.

(2) No person who is not already in Government Service shall be appointed to the service unless he produces:—

- (i) a certificate of good moral character from the Principal Academic Officer of his school or the head of his educational or technical institution last attended;
- (ii) a certificate of good moral character from two responsible persons, not being his relatives, who are well acquainted with him in private life and unconnected with his school, or other educational or technical institution;
- (iii) a medical certificate, as required under the rules applicable to the service;
- (iv) a declaration to the effect that in case of male Government servant he has not more than one wife living and in case of female that she has not married a person having already a living wife.

Explanation:—(a) No person who has more than one wife living, or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service:

(b) No women whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service.

Provided that the Government, may, if satisfied, that there are special grounds for doing so, exempt any person from the operation of rules in clause (iv).

(3) Must not be less than 18 years and not more than 27 years of age on the date of his appointment:

Provided further that the minimum and maximum age limits as prescribed may be relaxed in pursuance of the relevant rules/instructions applicable to the service:

Provided further that the maximum age limit may be relaxed in the case of scheduled castes/tribes candidates, displaced persons and other special categories in accordance with the orders issued by the Government from time to time.

6. **Educational qualifications of candidates.**—No person shall in future be appointed to the service, unless in the case of appointment to the post of:—

- (i) **Daftri.**—He has passed the Middle School Examination or above of a recognised school or Board of School Education. The prescribed educational qualification will be relaxed in the case of departmental promotion; provided the departmental promotee is either permanent or quasi-permanent in the scale of peon and has put in at least 5 years service and possesses the knowledge of Hindi and English.
- (ii) **Jamadar.**—He has normally rendered 5 years service (officiating or confirmed) as a peon.
- (iii) **Peon.**—He has passed the Middle School Examination or above of a recognised school or Board of School Education. The prescribed educational qualifications will be relaxed in the case of transfer from the post of Chowkidar-cum-Frash, sweeper and Mali, provided that such a transferee is either permanent or quasi-permanent and has put in at least 2 years service in that grade.
- (iv) **Chowkidar-cum-Frash.**—He should be literate with knowledge of reading and writing Hindi; preference shall be given to ex-servicemen from the Indian Army.
- (v) **Sweeper.**—He should possess the knowledge

of reading and writing Hindi.

(vi) **Mali.**—He should possess the knowledge of gardening and also knowledge of reading and writing Hindi.

(vii) **Langri, Cook, Mochi, Dhobi, Barber, Tailor and Carpenter.**—The candidates of these posts should possess knowledge of reading and writing Hindi and should have passed or studied upto Primary Standard. They should also have adequate knowledge and experience of their respective trades and have got a certificate in support of their having worked at least for a year in some standard or recognised institute imparting training or running such trade:

Provided the condition as prescribed above may be relaxed by orders of the appointing authority in case persons of requisite qualification for appointment to the class IV service are not available through Employment Exchanges.

7. **Method of recruitment.**—(1) Posts in the service shall be filled either by promotion or by direct appointment in the following manner:—

- (i) **Peon, Chowkidar-cum-Frash, sweeper and Mali.**—By transfer of a person already in the service of the Government or by direct recruitment.
- (ii) **Jamadar.**—By promotion from amongst the peons on the basis of seniority subject to the rejection of the unfit.
- (iii) **Daftri.**—75% of the posts will be filled in by promotion from amongst the peons on the basis of seniority subject to the rejection of the unfit and the remaining 25% of the posts by direct recruitment.
- (iv) **Langri, Cook, Mochi, Dhobi, Barber, Tailor and Carpenter.**—By direct recruitment.

(2) Nothing in these rules shall effect reservations and other concessions required to be provided for scheduled castes and scheduled tribes and other special categories of persons in accordance with the orders issued by the State Government from time to time in this regard.

8. **Departmental Promotion Committee.**—The Departmental Promotion Committee in respect of the service shall be constituted and notified separately by the Government from time to time.

PART III—CONDITIONS OF SERVICE

9. **Probation of Members of Service.**—(i) Members of the service who are appointed against permanent vacancies shall, on appointment to any post in the service, remain on probation for a period of two years.

Explanation:—Approved officiating service shall be taken as a period spent on probation but no member who is officiating in any appointment shall on the completion of the probationary period prescribed, be confirmed until he is appointed against a permanent vacancy.

(ii) If the work or conduct of any member during his period of probation is, in the opinion of the appointing authority, not satisfactory, the appointing authority may dispense with his service or revert him to his former post if he has been appointed to that post otherwise than by direct recruitment.

(iii) On the completion of the period of probation of any member, the appointing authority prescribed in rule, 4, may confirm such member in his appointment or if his work or conduct has, in the opinion of the appointing authority, not been satisfactory, may dispense with his services, or revert him to his former post, if he has

been appointed otherwise than by direct appointment or may extend the period of probation and thereafter pass such orders on the expiry of probation or trial, as the case may be, as it could have passed on the expiry of the first period of probation:

Provided always that the total period of probation or trial including extension, if any, shall not exceed four years.

10. *Discipline.*—In respect of discipline, punishment and appeals the members of the service shall be governed by the provisions contained in the service rules as adopted by the Government of Himachal Pradesh from time to time unless one has exercised the option otherwise.

11. *Seniority of Members of Service.*—(1) The persons appointed in a substantive or officiating capacity to a grade prior to the issue of these rules, shall retain their relative seniority as already assigned to them or such seniority as may hereinafter be assigned to them under the existing rules applicable to their cases and shall *en bloc* be senior to all those who may be recruited under these rules.

(2) Subject to sub-rule (1) the seniority of members of service shall, in each class of appointment, shown in Annexure, be determined by the dates of their substantive appointment to a permanent vacancy in each class:

Provided that if two or more members are appointed on the same date—

- (a) members appointed by transfer from other department shall be senior to members appointed through direct recruitment;
- (b) in the case of members who are appointed by transfer from other departments seniority shall be determined by pay, preference being given to the members drawing higher rate of pay and if the rates of pay drawn are the same, seniority shall be determined by the length of service, preference being given to members having the longer service; and if the length of service is also the same, seniority shall be determined by the age, the older member being senior to the younger member;
- (c) in the case of members who are appointed direct on the same date, seniority shall be determined by the age, the older member being senior to the younger member:

Provided that in the case of members recruited by direct appointment the order of merit, if any, drawn at the time of selection shall not be disturbed and persons recruited as a result of an earlier selection shall be senior to those appointed as a result of a subsequent selection.

12. *Leave and Pension etc.*—In respect of leave, pension and other cognate matters not specifically mentioned in these rules, the members of the service shall be governed by the service rules as adopted by the Himachal Pradesh Government or such other rules as are from time to time framed or issued under the proviso to Article 309 of the Constitution of India, unless one has exercised his option otherwise.

13. *Power to relax.*—Where the Government is of the opinion that it is necessary or expedient to do so it may by order for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

14. No service condition of an employee in the services immediately before 25th January, 1971, is adversely affected.

15. ANNEXURE TO HIMACHAL PRADESH POLICE DEPARTMENT CLASS IV SERVICE RECRUITMENT AND PROMOTION RULES, 1973

Character of posts	Grade
(1) Book Binder	80-2-90/3-120.
(2) Daftri	} 75-3-90/3-105.
(3) Jamadar	
(4) Peon	
(5) Frash	
(6) Sweeper	
(7) Langri/Cook	} 70-2-80/3-95.
(8) Water Carrier/Bhishti	
(9) Mali	
(10) Mochi	
(11) Khalasi	
(12) Ward Servant	
(13) Dhobi	
(14) Barbars	
(15) Tailors	
(16) Carpenters	

U. N. SHARMA,
Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-2, the 23rd October, 1973

No 5-12/72-SI (Estt).—In exercise of the powers conferred by proviso to Article 309 of the constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission is pleased to make the following rules in respect of the Himachal Pradesh Class I service in the Industries Department with regard to the following matters, namely:—

- (i) the method of recruitment to the Himachal Pradesh, Industries Department, Class I service;
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for the purpose of probation, confirmation, seniority and promotion.

RECRUITMENT RULES

PART I—GENERAL

1. *Short title.*—(1) These rules may be called the Himachal Pradesh Industries Department, Class I Service (Recruitment, Promotion and certain conditions of Service) Rules, 1973.

2. These rules shall come in to force with effect from the date of publication of this notification in the Official Gazette.

2. *Definition.*—In these rules, unless there is anything repugnant in the subject or context;

- (a) 'appointing Authority' means the Governor, Himachal Pradesh (or any other authority appointed by him for the purpose);
- (b) 'Commission' means Himachal Pradesh, Public Service Commission;

- (c) 'governor' means the Governor, Himachal Pradesh;
- (d) 'departmental promotion committee' means a Committee appointed by the Himachal Pradesh Government to recommend existing officials of the Department of Industries for promotion to higher grade or class or to recommend candidates for appointments to the posts recruitment to which is not to be made on the recommendations of the Commission;
- (e) 'direct recruitment' means the appointment made otherwise than by promotion from amongst the members of the service or transfer of an official already in the service of the Central Government or of a State Government or of Administration of a Union Territory;
- (f) 'government' means the Himachal Pradesh Government;
- (g) 'member' means a member of Himachal Pradesh, Industries Department, Class I service;
- (h) 'scheduled castes' means the Castes, Races or Tribes or parts of or groups, within Caste, Races or Tribes specified in the Constitution (Scheduled Castes) Order, 1950, as amended by section 19(1) read with the First Schedule of the State of Himachal Pradesh Act, 1970(53 of 1970), and as it may be amended from time to time;
- (i) 'service' means the Himachal Pradesh, Industries Department, Class I Service;
- (j) 'recognised university' means any University incorporated by law in the Union of India or any other University which may be declared by the Central Government to be a recognised University for the purpose of the rules.

PART II—CONSTITUTION OF THE SERVICE AND GENERAL CONDITIONS FOR APPOINTMENT

3. The service shall consist of such number of posts whether permanent or temporary, of each grade specified in appendix 'A' as the Government may, from time to time determine. Recruitment/Promotion to this service shall be made by the Appointing Authority, on the recommendations of the Commission or Departmental Promotion Committee as the case may be. The rates of pay may be changed by the Government from time to time as the Government may order.

NATIONALITY, ELIGIBILITY & AGE ETC.

4. *Nationality eligibility & age etc.*—(1) A candidate for appointment to any post in the service must be:

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India:

Provided that if he/she belongs to category (c) or (d) he/she must be a person in whose favour a certificate of eligibility has been given by the Government of India:

Provided further that if he/she belongs to category (d) the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he/she can be retained in service only if

he/she has become a citizen of India.

A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he/she may also provisionally be appointed subject to the necessary certificate being given to him/her by the Government.

(2) Unless he/she is already in Government service must produce—

- (i) a certificate of good moral character from the Principal Academic Officer of his/her University; College or School or from the Head of the Educational or Technical Institution last attended;
- (ii) a certificate of his/her good moral character from a Gazetted Officer of the Central or a State Government or a member of Parliament or State Legislatures or from some respectable and trustworthy person, who can certify from personal knowledge the identity of the applicant and the correctness of the particulars furnished by him;
- (iii) a medical certificate as required by the Service Rules applicable to the other services, of the State of Himachal Pradesh which are in force or may be adapted by the State Government from time to time;
- (iv) declaration to the effect that he has not more than one living wife;
- (v) no person who has more than one wife living or who having a spouse living marries in case in which such marriage is void by reasons of its taking place during the life time of such spouse, shall be eligible for appointment to service;
- (vi) no female candidate, who has married a person having already a wife living shall be eligible for appointment:

N.B.—Appointment/recruitment of a person to the service shall be subject to his furnishing an affidavit to the effect that he has only one wife or in the case of a female that she has not married a man having already a living wife:

Provided that the Government may, if satisfied that there are special grounds for doing so, exempt any person from the operation of the rule in clause (V) above subject to observance of the Government instructions in this behalf.

(3) The minimum and maximum age limits have been shown in the Appendix 'A'.

5. *Educational qualifications method of recruitment and reservations.*—The educational qualifications and methods of recruitment are indicated in the statement appended at Appendix 'A'.

6. *Reservations.*—Such percentage of posts as may be prescribed by the Government from time to time shall be reserved for Scheduled Castes, Scheduled Tribes, and Released Emergency Commissioned Officer/ex-servicemen, subject to the minimum qualifications being satisfied by them.

7. *Probation of members of service.*—(i) Members of the service, who are appointed against permanent vacancies shall, on appointment to any post in the service, remain on probation for a period of two years.

Explanation.—(i) Approved officiating service shall be taken as a period spent on probation but no member, who is officiating in any appointment shall on the completion of the prescribed probationary period be confirmed until he/she is appointed against a permanent vacancy.

(ii) If the work or conduct of any member during his/her period of probation is in the opinion of the appointing authority not satisfactory, the appointing authority may dispense with his services or revert him/her to former post if he/she has been recruited otherwise than by direct recruitment, appointment.

(iii) On the completion of the period of probation of any member, the appointing authority may confirm such member in his/her appointment subject to availability of a permanent post or if his/her work or conduct has in the opinion of the appointing authority, not been satisfactory, may dispense with his/her services, or revert him/her to his/her former post, if he/she has been appointed otherwise than by direct recruitment, or may extend the period of probation and thereafter pass such orders as it could have passed on the expiry of the first period of probation:

Provided always that the total period of probation including extensions, if any, shall not exceed 3 years.

8. Seniority of members of service.—(1) Persons appointed in a substantive or officiating capacity to a grade prior to the issue of these rules shall remain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall *en bloc* be senior to all others in that grade.

Explanation.—(a) For the purpose of these rules, persons who are confirmed retrospectively with effect from the date earlier than the issue of these rules.

(b) Persons appointed on probation to a permanent post substantively vacant in a grade prior to the issue of these rules, shall be considered to be permanent members of the grade.

(2) Subject to the provision of paragraph (3) below, permanent members of each grade shall be ranked senior to persons who are officiating in that grade.

(3) **Direct recruits.**—Notwithstanding the provision of paragraph (2) above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment on the recommendations of the selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection:—

(i) Provided that the persons recruited initially on a temporary basis are confirmed subsequently in an order different from the order of the merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit:

(ii) Provided further that a person who does not join within the prescribed period shall lose his/her seniority; according to the selection and shall rank in the seniority list next to the person who joined earlier:

(iii) Provided further that he/she shall not lose his/her seniority, if the fact of his/her joining later was caused by circumstances beyond his/her control and for the reasons to be recorded in writing, the appointing authority is satisfied that this was so.

(4) **Promotees.**—(i) The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their promotion, seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotions to a grade are made from more than one grade an *inter se* seniority of all eligible persons shall be arranged in a separate list in the order of their date of appointment in their respective grades. Thereafter the duly constituted Departmental Promotion Committee or the other selecting/recommending authority shall select persons for promotion from this list and draw up a merit list which will determine the seniority of persons on promotion to the higher grade.

(5) **Relative seniority of direct recruits and promotees.**—The relative seniority of direct recruits and or promotees shall be determined according to the rotation of vacancies reserved for direct recruits and promotees respectively.

(6) **Transfers.**—The relative seniority of persons appointed by transfer to the service from the subordinate offices or the Central Government or other Departments of the State Government shall be determined in accordance with the order of their selection for such transfer. In case of officials transferred from other departments etc., the previous services will not count for purposes of seniority.

(7) **Explanatory memorandum.**—Where promotions are made on the basis of selection by a Departmental Promotion Committee or the Commission the seniority of such promotees shall be in order in which they are recommended for such promotion by the Committee or Commission. Where promotions are made on basis of seniority subject to the rejection of the unfit, the seniority of persons considered for promotion at the same time shall be the same as the relative seniority in the lower-grade from which they are promoted. Where, however, a person is considered as unfit for promotions and is superseded by a junior such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher scale over the junior person who had superseded him.

(8) A roster should be maintained based on the Reservation for direct recruitment and promotion in the Recruitment Rules. Appointments should be made in accordance with this roster and seniority determined accordingly.

Illustration.—Where 75% of the vacancies are reserved for promotion and 25% for direct recruitment each direct recruit shall be ranked in seniority below three promotees.

Where the quotas are 50% each, every direct recruit shall be ranked below promotee. If for any reasons a direct recruit or a promotee ceased to hold the

appointment in the grade, the seniority list shall, not be rearranged merely for the purpose of ensuring the proportion referred to above.

9. *Training and Examination etc.*—The members of service shall have to qualify examinations or to undergo training as may be prescribed by the Government from time to time for any class of posts.

10. *Liability to transfer.*—Every member of the services shall be liable to transfer anywhere within Himachal Pradesh

11. *Leave and pension etc.*—In respect of leave, pension and other cognate matters not specifically mentioned in these rules, the members of the service shall be governed by the service rules applicable to the other service of the State of Himachal Pradesh which are in force or as may be adapted by the State Government from time to time, unless one has exercised option, otherwise.

12. *Other conditions of service—General.*—In all

matters not expressly provided for in these rules the members of the service shall be governed by service rules applicable to other employees of the State of Himachal Pradesh which are in force or as may be adapted by the State Government from time to time, unless one has exercised option otherwise.

13. *Powers to relax.*—Where the Government is of the opinion that it is necessary or expedient to do so it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, where necessary, relax any of the provision of these rules with respect to any class or category of persons.

14. *Saving.*—Nothing in these rules shall affect reservations and other concessions required to be provided for scheduled castes and scheduled tribes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.

P. K. MATTOO,
Secretary.

APPENDIX 'A'

Name of the post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age for direct recruits	Educational and other qualifications for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees
1	2	3	4	5	6	7	8
Technical Officer.	One	Rs. 400-30-550/40-750-50-1250.	Rs. 400-30-550/40-750-50-1250.	Selection	35 years or below.	Essential: Degree in Technology/ Engineering or applied Chemistry or Master's Degree in Science of a recognised University or equivalent. (ii) Five years' experience in a responsible position in Government organisation/Industrial concern of repute dealing with small scale and or Cottage Industries.	No

Name of the post	Period of probation, if any	Method of recruitment whether by promotion or by direct recruitment or by deputation/transfer and the percentage of the vacancies to be filled by various methods	In case of recruitment by promotion, transfer, deputation, grades from which promotion/deputation/transfer to be made	If D. P. C. exists, what is its composition	Circumstances in which H.P. Public Service Commission to be consulted
1	9	10	11	12	13
Technical Organiser.	2 years subject to such further extension* not exceeding one year as may be ordered by the competent authority in special circumstances to be reduced in writing.	100% By promotion failing which by direct recruitment.	<i>By promotion:</i> From amongst:— 1. District Industries Officers. 2. Superintendent, Rural Industrial Training Institutes. 3. Principal, Industrial Training Institutes. 4. Assistant Director of Training. 5. Project Officer (Industries). 6. Sericulture (Expert) with 5 years regular service in the respective grades.	D. P. C. to be presided over by Chairman of H.P. Public Service Commission or a member thereof to be nominated by him.	As required under the law.

- Notes:*
1. Upper age limits for direct recruits will not be applicable to candidates already in the service of the Government except in case of posts to be filled in on the basis of competitive examination.
 2. Upper age limit is relaxable for scheduled castes/tribes candidates and other categories of persons to the extent permissible under the general or special orders of Himachal Pradesh Government.
 3. Age and qualifications relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.
 4. Provisions of column 10 and 11 are to be revised by the Government in consultation with the Himachal Pradesh Public Service Commission as and when posts under column 2 are increased or decreased.
 5. Age limits for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.
 6. When the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax, any of the provisions of these rules* with respect to any class or category of persons.
 7. Selection for appointment to these posts shall be made on the basis of *viva-voce* test preceded, if the Commission so considers necessary or expedient, by a written test, the standard, syllabus etc. of which shall be determined by the Commission.

PUBLIC WORKS (B) DEPARTMENT

NOTIFICATION

Simla-2, the 22nd October, 1973

No. 1-11/68-Rev. (PWD).—In exercise of the powers conferred by section 25 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972 (Act No. 20 of 1973), the Governor of Himachal Pradesh is pleased to make the following rules for carrying out the purposes of the aforesaid Act:—

1. Short title.—These rules may be called the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Rules, 1973.

2. Definition.—In these rules, unless there is anything repugnant in subject or context,—

(a) “act” means the Himachal Pradesh Requisition-

ing and Acquisition of Immovable Property, 1972;

(b) “form” means a form appended to these rules;

(c) “section” and “sub-section” mean respectively a section or sub-section of the Act;

(d) all other words and expressions used in these rules, but not defined in these rules shall have meanings assigned to them in the Act.

3. Procedure to be followed by competent authority for purposes of section 3 (1).—A notice under clause (a) of sub-section (1) and order under clause (b) of sub-section (1) of section 3 of the Act shall be in Form ‘A’.

4. Order of the requisitioning.—The order of requisition under sub-section (2) of section 3 of the Act, and the notice under sub-section (1) of section 4 of the Act shall be issued in Form ‘B’.

5. Breaking open of lock on requisitioned property.—Where the possession of a requisitioned property is not

handed over in compliance with an order issued under sub-section (1) of section 4 of the Act and the premises are found locked the competent authority or any other person authorised by it in writing in this behalf may break open the lock in the presence of two witnesses of the locality and take possession of the property.

Provided that—

- (i) before any such action is taken the competent authority shall satisfy itself that the order under sub-section (1) of section 4 has been duly served on the party concerned and that the party is evading compliance with the order;
- (ii) the powers under this rule shall not be exercised at any time after sunset or before sunrise; and
- (iii) where possession is taken in pursuance of the powers conferred by this rule, an inventory of the articles found in the premises shall be made in the presence of two witnesses of the locality and such articles shall be stored in safe custody.

6. *Repairs to requisitioned premises.*—A notice under sub-section (2) of section 5 of the Act shall in Form 'C'. The time for execution of repairs to be specified in the notice shall be such as the competent authority may deem reasonable having regard to the nature of repairs and other circumstances of the case.

7. *Procedure to be followed in releasing the property.*—

(1) For the purpose of sub-section (2) of section 6 the competent authority, may, if it considers it necessary so to do, make or cause to be made by an officer empowered in this behalf by it, an enquiry to obtain information in respect of the following matters, namely:—

- (i) the name and address of the person from whom the property was requisitioned;
- (ii) the name and address of the person in possession of the property was requisitioned;
- (iii) the name of the person who has been receiving compensation;
- (iv) whether any alternative accommodation was provided to the occupant when the property was requisitioned or whether any compensation was paid to him for vacating the property, or whether the occupants, if any, relinquished their claims for reoccupation of the property;
- (v) whether the occupant was a *bona fide* tenant of the property or was an unauthorised occupant or has no claim in law for the restitution of the property;
- (vi) whether the owner of the property on whom the requisitioning order was first served, has sold the property and if so, to whom;
- (vii) in case the property has been sold whether the owner has sold all rights in respect of the property;
- (viii) whether there is any objection to the property being de-requisitioned in favour of the owner from whom the property was requisitioned;
- (ix) the state of repairs of property at the time of enquiry;
- (x) whether any structure or articles belonging to Government have been erected or installed in the property and their value;

(xi) the condition of the property at the time of requisition and whether the property is in as good a condition as it was then possession thereof was taken subject to change caused by reasonable wear and tear or irresistible force;

(xii) the estimated cost of restoration; and

(xiii) any other matter that the competent authority may consider necessary for the purpose of specifying the person to whom possession of the property may be given.

(2) An order under sub-section (2) of section 6 shall be issued in Form 'D'.

(3) A notice under sub-section (4) of section 6 shall be in Form 'E'.

8. *Acquisition of requisitioned property.*—A notice under sub-section (1) of section 9 of the Act calling upon the owner or any other person interested in a requisitioned property to show cause why the property should not be acquired, shall be in Form 'F'. A notice of actual acquisition shall be in Form 'G'.

9. *Arbitration section 10 refers.*—(1) An arbitrator appointed under clause (b) of sub-section (1) of section 10 shall complete the arbitration proceedings and give his award within four months. The State Government may, if it thinks fit whether the time for making the award has expired or not and whether the award has been made or not, enlarge from time to time, the time for making the award.

(2) An arbitrator shall take down the evidence of each witness, not ordinarily in the form of question and answer, but in that of a narrative and shall sign it.

(3) Where before an arbitrator is able to finish the arbitration proceedings and make his award a new arbitrator is appointed, the new arbitrator may deal with the evidence taken down by his predecessor as if such evidence had been taken down by him and may proceed with the arbitration proceedings from the stage at which his predecessor left it.

(4) The costs of arbitration and award shall be in discretion of the arbitrator who may direct to, and by whom, and in what manner, they or any part thereof shall be paid, and in case an appeal is preferred to the High Court, such costs and the costs of the appeal shall be in the discretion of the High Court, who may direct to, and by whom and in what manner, they are any part thereof shall be paid.

10. *Appeals.*—(a) Appeals under section 12 or 13 shall be addressed to the Secretary to the Government of Himachal Pradesh in the Department of Public Works.

(2) Every appeal shall contain the grounds of appeal and shall be accompanied by a copy of the order against which the appeal is preferred.

11. *Summoning of persons and witnesses and production of documents.*—An order under section 15 of the Act summoning and enforcing the attendance of any person and examining him on each or; requiring the discovery and production of any documents shall be issued in Form 'H'. An order requisitioning public records from any court of office shall be issued in Form 'H', while an order issuing commissions for examination of witnesses shall be in Form 'J'.

12. *Inspection of premises.*—The competent authority, or any officer, empowered in this behalf by such authority by general or special order, shall not in exercise

of the powers conferred by section 17 enter upon any property after sunset or before sunrise.

By order,
H. S. DUBEY,
Secretary.

FORM 'A'
(See rule 3)

(Form of notice/order to be issued by the Competent Authority under section 3 of the H. P. Requisitioning and Acquisition of Immovable Property Act, 1972).

Whereas, I.....(name and designation), being the competent authority under the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972, am of opinion that the property described in the schedule hereto annexed is needed/or likely to be needed for a public purpose,*.....being a purpose of the State and that the said property should be requisitioned.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, I, as the competent authority, hereby call upon.... being the @ owner of the property/ @ person in possession of the property to show cause within fifteen days of the date of service of this notice upon him why the said property should not be requisitioned and I further direct that neither the owner of the said property nor any other person shall without my permission dispose of or structurally alter the said property or let it out to a tenant until the expiry of two months from the date of service of this notice upon him.

SCHEDULE

Signature,

Designation,
Competent Authority.

To

.....
.....
.....

*Here mention the purpose for which the property shall be requisitioned.

@ Strike off the irrelevant words.

FORM 'B'
(See rule 4)

(Form of the order and notice to be issued by the Competent Authority under sub-section (2) of section 3 and section 4 of the H. P. Requisitioning and Acquisition of Immovable Property Act, 1972).

Whereas by a notice issued under sub-section (1) of section 3 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972 (20 of 1973).....(enter name of person (s) was called upon to show cause within the period specified therein why the property specified in the Schedule hereto annexed should not be requisitioned.

And whereas the said period has expired and no cause* has been shown against the said notice or/ the cause shown against the notice has been considered.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 3 and by section 4 of the said Act,.....(name) (designation) being a competent authority under the said Act, having been satisfied that it is necessary or expedient so to do, do hereby requisition the said property and I hereby order the said.....(enter the name) to surrender or deliver possession thereof to.....(enter designation of officer) within thirty days of the service of this notice.

If the said.... (enter the name) refuses or fails to comply with the above order shall be lawful for me to take possession of the property and for that purpose to use such force as may be necessary.

SCHEDULE

Signature,
Designation.

To

.....
.....
.....

FORM 'C'
[See rule (6)]

(Form of notice to be issued by the competent authority in sub-section (2) of section 5 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972).

Whereas the premises known as..... have been requisitioned under section 3 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972.

and whereas the said premises are in need of repairs specified in the Schedule hereto appended.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5 of the said Act, I

(enter name) (enter designation) being the competent authority under the said Act, do hereby order..... the landlord of the said premises to execute, the repairs specified in the schedule being repairs which are necessary the premises are situated within a period of.....from the date of service of this notice.

If the said landlord fails to execute the repairs specified in this order within the aforesaid period, I shall cause the same to be executed at his expense and the cost thereof shall, without prejudice to any other mode of recovery, be deducted from the compensation payable to him.

SCHEDULE

Signature,

Designation,
Competent Authority.

To

.....
.....
.....

FORM 'D'

[See rule 7 (2)]

(Form of the order to be issued by the competent authority under section 6 (2) of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972).

Whereas the property specified in the schedule annexed hereto was requisitioned by order of the No. dated with effect from the under the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972.

And whereas it has now been considered necessary that the said property is no longer required for the public purpose for which the same was requisitioned:

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 6 of the aforesaid Act, I, being competent authority, hereby order the release of the said property from the requisitioning and further order the (name and designation of officers)

to handover possession of the said property to (name of the owner or successors in interest) within fifteen days from the issue of this order.

SCHEDULE

Signature,

Designation,
Competent Authority.

To

FORM 'E'

[See rule 7 (3)]

(Form of notice to be issued by the competent authority under sub-section (4) of section 6 of the Himachal Pradesh Requisitioning and Acquisition Act, 1972).

Whereas the property specified in the schedule annexed hereto was requisitioned for a public purpose vide No. dated with effect from the under the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972.

And whereas it has been considered necessary that the said property is no longer required for the public purpose for which the same was requisitioned.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 6 of the aforesaid Act, I, being competent authority, hereby order the release of the said property from the requisitioning.

And further order that as the whereabouts of (Name of Owner or Successor in Interest) are not known, nor has he any agent or other person empowered to accept the delivery on his behalf,

in exercise of the powers conferred by sub-section (4) of section 6 of the aforesaid Act, I, as the competent authority, inform the parties concerned through this notice to take delivery of the said premises by affixing this notice on the conspicuous part of the said property and also informing the parties concerned by publishing this notice in the Official Gazette of the Himachal Pradesh Government.

SCHEDULE

Signature,

Designation,
Competent Authority.

FORM 'F'

(See rule 8)

NOTICE AND ORDER

Whereas it appears to the Governor of Himachal Pradesh that the property requisitioned under sub-section (2) of section 3 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972, and described in the schedule hereto annexed is needed for a public purpose* being a purpose of the State and that the said property should be acquired.

Now, therefore, in exercise of the powers conferred by proviso to sub-section (1) of section 9 of the aforesaid Act, the Governor of Himachal Pradesh hereby call upon (name of person(s))

being the owner of the said property/ @ person in possession of the property, to show cause to the Secretary (PWD) to the Himachal Pradesh Government Simla within fifteen days of the date of service of this notice upon him why the said property should not be acquired.

SCHEDULE

Secretary,
(PWD) to the Government of Himachal Pradesh.

To

*Here mention the purposes for which the property shall be acquired.

@ Strike off the irrelevant words.

'FORM G'

(See rule 8)

ORDER OR NOTICE

Whereas by a notice issued under the proviso to sub-section (1) of section 9 of the Himachal Pradesh Requisitioning and Acquisition of Immovable Property Act, 1972, (enter name of the person), was called upon to show cause within the period specified therein why the property specified in the schedule hereto annexed should not be acquired.

And whereas the said period has expired and no cause has been shown against the said notice or the

cause shown against the notice has been considered;

Now, therefore, in exercise of the powers conferred under sub-section (1) of section 9 of the aforesaid Act, the Governor of Himachal Pradesh having satisfied that it is necessary or expedient so to do, do hereby acquire the said property and the said property now vest absolutely in the Government free from all encumbrances henceforth.

SCHEDULE

Secretary (P.W.D.)

To

FORM 'H'

(See rule 11)

SUMMONS TO WITNESS

Case No. of 19 ..

In the office proposed requisitioning/acquisition/fixation of compensation in respect of

To

Whereas your attendance is required to give evidence/produce the documents described in the list enclosed in the case, you are hereby required (personally) to appear before the undersigned on the day of 19 .. at O'Clock in the forenoon/afternoon and to bring with you (or to send to this office) the said documents.

In case you fail to comply with this order without lawful excuse, you will be subject to the consequence of non attendance laid down in rule 12 of order XVI of the Code of Civil Procedure.

Given under my hand and the seal of this office, day of 19 ..

SEAL.

Competent Authority/Arbitrator.

FORM 'I'

(See rule 11)

REQUISITION FOR PUBLIC RECORD

To

Please arrange to send per bearer/through your clerk on the public record(s) mentioned below for my examination in connection with the proposed requisitioning/acquisition/fixation of compensation in respect of

Given under my hand and seal of this office, this day of 19 ..

Details of Record.

1.
2.
3.

Competent Authority/Arbitrator.

'FORM J'

(See rule 11)

FORM OF COMMISSION

In the matter of
It is ordered as follow:—

1. A Commission may issue direction to of for the examination upon interrogatories of *viva voce* before the aforesaid Commissioner of the following witnesses:—

- (1)
- (2)
- (3)

2. In the event of any witness on his examination, cross-examination or re-examination producing any book, document, letter paper or writing and refusing for good cause to be stated in his deposition, a part with the original thereof, then a copy thereof, or extract therefrom certified by the Commissioner to be a true and correct copy or extract shall be annexed to the witness's deposition.

3. Each witness to be examined under the Commission shall be examined on oath, affirmation or otherwise in accordance with his religion by or before the said Commissioner.

4. The deposition to be taken under and by virtue of the said commission shall be subscribed by the witness or witnesses and by the Commissioner.

5. The interrogatories, cross-interrogatories and deposition together with any documents referred to therein or certified copies thereof or extracts therefrom shall be sent to the competent authority/arbitrator on or before the day of such further or other day as may be ordered by registered post.

Dated this day of 19 ..

Competent Authority/Arbitrator.

भाग 4—स्थानीय स्वायत्त शासन: म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड ग्रौर टाउन एरिया तथा पंचायत विभाग

शून्य

भाग 5—व्यक्तिक अधिसूचनाएं और विज्ञापन

Versus

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.
In the Court of Shri Surendra Prakash M.A., LL.B.,
Judge, Small Causes Court Simla

Suit No. 84 of 1972

Firm Roda Ram, Sumer Chand through Sumer Chand Khajanchi-Ka-Bagicha, Simla-1 Plaintiff.

Shri Radha Prashad s/o Shri Kesho Prashad, Tati Employee Central Potatoes Research Station, Patna, P. O. Sahanagar, Behar. Defendant.

Suit for Rs. 416.00

To

Shri Radha Prashad s/o Shri Kesho Prashad,
Tati Employee, Central Potatoes Research Station,
Patna, P. O. Sahagagar, Behar.

In the above noted case it as been proved to my satisfaction that the above named defendant Shri Radha Prashad cannot be served in the normal course of service. Hence this proclamation is hereby issued and above named defendant is directed to appear in this court on 28th December, 1973 at 10 A. M. personally or through a pleader or authorised agent, failing which *ex-parte* proceedings will be taken against the above named defendant.

Given under my hand and the seal of the court this 7th day of November, 1973.

Seal. SURENDRA PRAKASH,
Judge.

Notice U/O 21, Rule 66

In the Court of Shri Kuldip Chand Sood, B.A., LL.B.
Sub-Judge, Theog, District Simla, Himachal Pradesh

Execution No. 6/10 of 72

Shri Sarno s/o Karmu, resident of village Barmal,
Pr. Ratesh, Tehsil Theog, District Simla, Himachal Pradesh ..D. H.

Versus

Shri Babu Ram, s/o Shri Dila Ram, resident of
village Tialli, Pr. Ratesh, Tehsil Theog, District Simla. ..J. D.

To

Shri Babu Ram s/o Shri Dila Ram, resident of
village Tialli, Pr. Ratesh, Tehsil Theog, District Simla.

Whereas in the above named Suit No. 29/i of 71, the decree holder has applied for the sale of 1/2 share in land measuring 5 Bighas and 8 Biswas comprised in Khasra Nos. 92, 93, 285, 315, 348 and 224 Kita 6 situate in moja Vainla, Pr. Ratesh, Tehsil Theog.

You are hereby informed that the 26th day of November, 1973, has been fixed for settling, the terms of the proclamation of sale.

Given under my hand and the seal of the Court this 31st day of October, 1973.

KULDIP CHAND SOOD,
Sub-Judge.

PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.
Before Shri Surendra Prakash M.A., LL.B., Rent
Controller, Simla, Himachal Pradesh

Suit No. 110 of 1973

Shri Ram Prakash Kuthiala s/o Shri Garinju Mal,
r/o Krishna Lodge, below Lakkar Bazar, Simla ..Petitioner.

Versus

Shri Kishori Lal Sud s/o Shri Khushi Ram Sud,
c/o M/s. Amar Chand, Santosh Kumar Shopkeepers,
village and P. O. Nirth, Tehsil Rampur, District Simla. .. Respondant.

To

Shri Kishori Lal Sud s/o Shri Khushi Ram Sud, c/o M/s. Amar Chand, Santosh Kumar, Shopkeepers, village and P. O. Nirth, Tehsil Rampur, District Simla.

In the above noted case it has been proved to my satisfaction that the above named respondent Shri Kishori Lal Sud cannot be served in the normal course of service. Hence this proclamation is hereby issued and above named respondent is directed to appear in this Court on 20th November, 1973 at 10 A.M. personally or through a pleader or authorised agent, failing which *ex-parte* proceedings will be taken against the above named respondent.

Given under my hand and the seal of the court this 5th day of November, 1973.

Seal. SURENDRA PRAKASH,
Rent Controller.

PROCLAMATION UNDER ORDER 5, RULE 20
CIVIL PROCEDURE CODE

In the Court of Shri Surendra Prakash M.A., LL.B.,
Judge, Small Causes Court Simla

Suit No. 69 of 1972.

Shri Gurcharan Singh s/o Shri Chanan Singh,
Prop. B. S. Chanan Singh and Sons, 14 Lower
Bazar, Simla. ..Plaintiff.

Versus

Shri Fishku Ram Tailor Master of village Barara,
c/o Himalya Tailoring House, Rohru Bazar, Rohru. .. Defendant.

Suit For Rs. 234.00

To

Shri Fishku Ram Tailor Master of Village Barara c/o Himalyan Tailoring House Rohru Bazar, Rohru.

In the above noted case it has been proved to my satisfaction that the above named defendant Shri Fishku Ram can not be served in the normal course of service. Hence this proclamation is hereby issued and above named defendant is directed to appear in this court on 29th November, 1973 at 10 A.M. personally or through a pleader or authorised agent, failing which *ex-parte* proceedings will be taken against the above named defendant.

Given under my hand and the seal of the court this 5th day of November, 1973.

Seal. SURENDRA PRAKASH,
Judge.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 21st July, 1962

No. 1-7/69-LR.-II.—The following Act recently passed by the Parliament of India and published in the Gazette

of India, Extraordinary part II, section I, dated 22nd June, 1962 respectively are hereby republished in the Himachal Pradesh Administration Rajpatar for the information of general public:—

1. The Finance (No. 2) Act 1962 (No. 20 of 1962).

S. R. MAHANTAN,
Under Secretary

Assented to on 22-6-1962

THE FINANCE (NO. 2) ACT, 1962

(ACT No. 20 OF 1962)

AN

ACT

to give effect to the financial proposals of the Central Government for the financial year 1962-63.

Enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Finance (No. 2) Act, 1962.

(2) Save as otherwise provided in this Act, sections 3 to 14 inclusive shall be deemed to have come into force on the 1st day of April, 1962 and sub-section (1) of section 16 and section 18 shall be deemed to have come into force on the 23rd day of April, 1962.

2. *Income-tax and super-tax.*—(1) Subject to the provisions of sub-sections (2), (3), (4) and (5), for the assessment year commencing on the 1st day of April, 1962,—

(a) income-tax shall be charged at the rates specified in Part I of the First Schedule, and, in the cases to which Paragraphs A, B and C of that Part apply, shall be increased by a surcharge for purposes of the Union and a special surcharge, calculated in either case in the manner provided therein; and

(b) super-tax shall, for the purposes of section 95 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as the Income-tax Act), be charged at the rates specified in Part II of the First Schedule, and, in the cases to which Paragraphs A, B and C of that Part apply, shall be increased by a surcharge for purposes of the Union and a special surcharge, calculated in either case in the manner provided therein.

(2) In making any assessment for the assessment year commencing on the 1st day of April, 1962,—

(a) where the total income of an assessee, not being a company, includes any income chargeable under the head "Salary", the income-tax payable by the assessee on that part of his total income which consist of such inclusion shall be an amount bearing to the total amount of income-tax payable according to the rates applicable under the operation of the Finance Act, 1961 (14 of 1961), on his total income the same proportion as the amount of such inclusion bears to his total income;—

(b) where the total income of an assessee, not being a company, includes any income chargeable under the head "Salaries" on which super-tax has been or might have been deducted under the provisions of sub-section (2) of section 18 of the Indian Income-tax Act, 1922 (11 of 1922), the super-tax payable by the assessee on that portion of his total income which consists of such inclusion shall be an amount bearing to the total amount of super-tax payable according to the rates applicable under the operation of the Finance Act, 1961 (14 of 1961), on his total income the same proportion as the amount of such inclusion bears to his total income.

(3) In making any assessment for the assessment year commencing on the 1st day of April, 1962, where the total income of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956), includes any profits

and gains from life insurance business, the super-tax payable by it shall be the aggregate of the tax calculated—

(i) on the amount of profits and gains from life insurance business so included, at the rate applicable to the Life Insurance Corporation of India in accordance with Paragraph E of Part II of the First Schedule; and

(ii) on the remaining part of its income, at the rate applicable to the company on its total income.

(4) In cases to which Chapter XII of the Income-tax Act applies, the tax chargeable shall be determined as provided in that Chapter, and with reference to the rates imposed by sub-section (1) or the rates specified in that Chapter, as the case may be.

(5) (i) An assessee being an Indian company or any other company which has made the prescribed arrangements for the declaration and payment of dividends within India or an assessee other than a company, whose total income includes any profits and gains derived from the export of any goods or merchandise out of India, shall be entitled to a deduction from the amount of income-tax and super-tax with which he is chargeable for the assessment year commencing on the 1st day of April, 1962, of an amount equal to the income-tax and super-tax calculated respectively at one-tenth of the average rate of income-tax and of the average rate of super-tax on the amount of such profits and gains included in the total income.

(ii) The Central Board of Revenue may make rules for computing the amount of such profits and gains.

(6) In cases in which tax has to be deducted under sub-section (2) of section 192 and sections 193 to 195 of the Income-tax Act at the rates in force, the deduction shall be made at the rates specified in Part III of the First Schedule.

(7) For the purposes of this section, and of the rates of tax imposed thereby—

(i) the expressions "assessment year", "average rate of income-tax", "average rate of super-tax" and "partner" have the meanings respectively assigned to them in clauses (9), (10), (11) and (23) of section 2 of the Income-tax Act;

(ii) the expression "total income" means total income as determined for the purposes of income-tax or super-tax, as the case may be, in accordance with the provisions of the said Act; and

(iii) the expression "earned income" means any income of an assessee who is an individual, Hindu undivided family, unregistered firm or other association of persons or body of individuals, whether incorporated or not, not being a company, a local authority, a registered firm or a firm assessed under clause (b) of section 183 of the said Act—

(a) which is chargeable under the head "Salaries"; or

(b) which is chargeable under the head "Profits and Gains of business or profession" where the business or profession is carried on by the assessee or, in the case of a firm, where the assessee is a partner actively engaged in the conduct of the business or profession; or

(c) which is chargeable under the head "Income from other sources" if it is immediately derived from personal exertion or represents a pension or superannuation or other allowance given to the assessee in respect of the past services of any deceased person; and

includes any such income which, though it is the income

of another person, is included in the assessee's income under the provisions of the Income-tax Act, 1961 (43 of 1961), but does not include any such income on which tax is not payable under clause (iii) or clause (v) of section 86 or clause (i) or clause (ii) of sub-section (1) of section 99 of that Act or which is exempted from tax under a notification issued under section 60 of the Indian Income-tax Act, 1922 (11 of 1922), as continued in force by clause (I) of sub-section (2) of section 297 of the Income-tax Act, 1961 (43 of 1961).

3. **Amendment of section 2.**—In section 2 of the Income-tax Act, after clause (42), the following clause shall be inserted, namely:—

“(42A) ‘short-term capital asset’ means a capital asset held by an assessee for not more than twelve months immediately preceding the date of its transfer.

Explanation.—(i) In determining the period for which any capital asset is held by the assessee—

“(a) in the case of a share held in a company in liquidation, there shall be excluded the period subsequent to the date on which the company goes into liquidation;

“(b) in the case of a capital asset which becomes the property of the assessee in the circumstances mentioned in clauses (i) to (iii) of section 49, there shall be included the period for which the asset was held by the previous owner referred to in the said section.

(ii) In respect of capital assets other than those mentioned in clause (i), the period for which any capital asset is held by the assessee shall be determined subject to any rules which the Board may make in this behalf.”

4. **Amendment of section 37.**—In section 37 of the Income-tax Act, in sub-section (2), for the figures and notations “ $\frac{3}{4}\%$ ” and “ $\frac{1}{4}\%$ ”, the figures and notations “ $\frac{1}{2}\%$ ” and “ $\frac{1}{4}\%$ ” shall, respectively, be substituted.

5. **Substitution of new sections for sections 70 and 71.**—For sections 70 and 71 of the Income-tax Act, the following sections shall be substituted, namely:—

“70. *Set off of loss from one source against income from another source under the same head of income.*—

(1) Save as otherwise provided in this Act, where the net result for any assessment year in respect of any source falling under any head of income other than ‘Capital gains’ is a loss, the assessee shall be entitled to have the amount of such loss set off against his income from any other source under the same head.

(2) (i) Where the result of the computation made for any assessment year under sections 48 to 55 in respect of any short term capital asset is a loss, the assessee shall be entitled to have the amount of such loss set against the income, if any, as arrived at under a similar computation made for the assessment year in respect of any other capital asset.

(ii) Where the result of the computation made for any assessment year under sections 48 to 55 in respect of any capital asset other than a short-term capital asset is a loss, the assessee shall be entitled to have the amount of such loss set off against the income, if any, as arrived at under a similar computation made for the assessment year in respect of any other capital asset not being a short-term capital asset.

71. *Set off of loss from one head against income from another.*—(1) Where in respect of any assessment year the net result of the computation under any head of income other than ‘Capital gains’ is a loss and the assessee has no income under the head ‘Capital gains’, he shall, subject to the provisions of this Chapter, be entitled to have the amount of such loss set off against his income, if any, assessable for that assessment year under any other head.

(2) Where in respect of any assessment year the net result of the computation under any head of income other than ‘Capital gains’ is a loss and the assessee has income assessable under the head ‘Capital gains’, such loss may, subject to the provisions of this Chapter, be set off against the income, if any, of the assessee assessable for that assessment year under any other head including income from capital gains relating to short-term capital assets as well as other capital assets or, if the assessee so desires, shall be set off only against his income, if any, assessable under any head of income other than ‘Capital gains’.”

6. **Amendment of section 72.**—In section 72 of the Income-tax Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Where for any assessment year, the net result of the computation under the head ‘Profits and gains of business or profession’ is a loss to the assessee, not being a loss sustained in a speculation business, and such loss cannot be or is not wholly set off against income under any head of income in accordance with the provisions of section 71, so much of the loss as has not been so set off or, where the assessee has income only under the head ‘Capital gains’ and has exercised the option under sub-section (2) of that section or where he has not income under any other head, the whole loss shall, subject to the other provisions of this Chapter, be carried forward to the following assessment year, and—

(i) it shall be set off against the profits and gains, if any, of any business or profession carried on by him and assessable for the assessment year:

Provided that the business or profession for which the loss was originally computed continued to be carried on by him in the previous year relevant for that assessment year; and

(ii) if the loss cannot be wholly so set off, the amount of loss not so set off shall be carried forward to the following assessment year and so on.”

7. **Substitution of new section for section 74.**—For section 74 of the Income-tax Act, the following section shall be substituted, namely:—

“74. *Losses under the head ‘Capital gains’.*—(1) (a) Where in respect of any assessment year, the net result of the computation under the head ‘Capital gains’ is a loss, such loss shall, subject to the other provisions of this Chapter, be dealt with as follows:—

(i) such portion of the net loss as relates to short-term capital assets shall be carried forward to the following assessment year and set off against the capital gains, if any, relating to short-term capital assets assessable for that assessment year and, if cannot be so set off, the amount thereof not so set off shall be carried forward to the following assessment year and so on;

- (ii) such portion of the net loss as relates to capital assets other than short-term capital assets shall be carried forward to the following assessment year and set off against the capital gains, if any, relating to capital assets other than short-term capital assets assessable for that assessment year and, if it cannot be so set off, the amount thereof not so set off shall be carried forward to the following assessment year and so on:

Provided that where, in the case of any assessee not being a company, the net loss computed in respect of such capital assets for any assessment year does not exceed five thousand rupees, it shall not be carried forward under this section.

- (b) Notwithstanding anything contained in the Indian Income-tax Act, 1922 (11 of 1922), any loss computed under the head 'Capital gains' in respect of the assessment year commencing on the 1st day of April, 1961, or any earlier assessment year which is carried forward in accordance with the provisions of sub-section (2B) of section 24 of that Act, shall be dealt with in the assessment year commencing on the 1st day of April, 1962, or any subsequent assessment year as follows:—

- (i) in so far as it relates to short-term capital assets, it shall be carried forward and set off in accordance with the provisions of sub-clause (i) of clause (a) and sub-section (2); and
- (ii) in so far as it relates to capital assets other than short-term capital assets, it shall be carried forward and set off in accordance with the provisions of sub-clause (ii) of clause (a) and sub-section (2).

(2) (a) No loss referred to in sub-clause (i) (a) of clause (a) of sub-section (1) or sub-clause (i) or sub-clause (ii) of clause (b) of that sub-section shall be carried forward under this section for more than eight assessment years immediately succeeding the assessment year for which the loss was first computed under this Act, or, as the case may be, the Indian Income-tax Act, 1922 (11 of 1922).

(b) No loss referred to in sub-clause (ii) of clause (a) of sub-section (1) shall be carried forward under this section for more than four assessment years immediately succeeding the assessment year for which the loss was first computed under this Act.”

8. *Amendment of section 87*—In section 87 of the Income-tax Act,—

- (i) in sub-section (1), after clause (e) the following clause shall be inserted, namely:—

“(f) where the assessee is an individual, any sums deposited, in the previous year by the assessee out of his income chargeable to tax, in a ten-year account or a fifteen-year account under the Post Office Savings Bank (Cumulative Time Deposits) Rules, 1959 as amended from time to time.”;

- (ii) in sub-section (3),—

- (a) in clause (ii), for the words “eight thousand rupees”, the words “ten thousand rupees” shall be substituted;
- (b) in clause (iii), for the words “sixteen thousand rupees”, the words “twenty thousand rupees” shall be substituted.

9. *Amendment of section 88*.—In section 88 of the Income-tax Act, to sub-section (3), the following

proviso shall be added, namely:—

“Provided that in respect of any such sums paid during any previous year relevant to such the assessment year commencing on the 1st day of April, 1963 or any subsequent assessment year, this sub-section shall have effect as if for the words ‘seven and a half per cent.’ and the words ‘one hundred and fifty thousand rupees’, the words ‘ten per cent’ and ‘two hundred thousand rupees’ had been, respectively substituted.”.

10. *Amendment of section 109*.—In section 109 of the Income-tax Act, in clause (iii), for the figures and notations “50%” and “65%”, wherever they occur the figures and notations “45%” and “60%” shall, respectively, be substituted.

11. *Substitution of new sections for sections 114 and 115*.—For sections 114 and 115 of the Income-tax Act, the following sections shall be substituted, namely:—

“114. *Tax on capital gains in cases of assessee other than companies*.—Where the total income of an assessee, not being a company, includes any income chargeable under the head ‘Capital gains’, the tax payable by him on his total income shall be—

- (a) the amount of income-tax and super tax payable on the total income as reduced by the amount of such inclusion and by the amount of compensation or other payment, if any, referred to in clause (ii) of section 28, had the total income so reduced been his total income; plus

- (b) (i) the amount of income-tax and super-tax calculated on the amount of the net capital gains relating to short-term capital assets, if any, included in the total income at the average rate of income-tax and the average rate of super-tax respectively, which would have been applicable to the total income if the amount of the net capital gains, if any, relating to capital assets other than short-term capital assets and the amount of compensation or other payment aforesaid, if any, had not formed part of it;

plus

- (ii) the amount of income-tax and super-tax calculated on the amount of the net capital gains, if any, relating to capital assets other than short-term capital assets at the average rate of income-tax and the average rate of super-tax respectively, which would have been applicable to the total income, if the net capital gains, if any, relating to short-term capital assets and the amount of compensation or other payment aforesaid, if any, had not formed part of it; or the amount of income-tax calculated at the rate of 25 per cent on the amount of the net capital gains relating to capital assets other than short-term capital assets included in the total income, whichever is less:

Provided that—

- (i) where the total income does not exceed the sum of ten thousand rupees, the amount payable under sub-clause (ii) of clause (b) shall be nil; and
- (ii) in no case shall the amount payable under sub-clause (ii) of clause (b) exceed one-half of the amount, if any, by which the amount of capital gains relating to capital assets other than short-term capital assets exceeds the sum of five thousand rupees;

plus

- (c) the tax on such compensation or other payment aforesaid, if any, computed in accordance with the provisions of clause (iii) of section 112.

115. *Tax on capital gains in case of companies.*—

Where the total income of a company includes any income chargeable under the head 'Capital gains' (whether such gains relate to short-term capital assets or to other capital assets), the tax payable by it shall be—

- (a) the amount of income-tax with which it is chargeable on its total income;
- (b) the amount of super-tax equal to the aggregate of the amount of super-tax calculated at the rate of five per cent on the amount of the capital gains relating to capital assets other than short-term capital assets included in the total income and the amount of super-tax with which it would be chargeable had its total income been reduced by the amount of such aforesaid capital gains.”

12. *Amendment of Act 27 of 1957.*—In the Wealth-tax Act, 1957,—

- (1) clause (xx) of sub-section (1) of section 5 shall be omitted;
- (2) in the Schedule, for Part I, the following Part shall be substituted, namely:—

PART I

Rate of tax

(a) In the case of every individual:—

- (i) on the first rupees two lakhs of net wealth Nil
- (ii) on the next rupees seven lakhs of net wealth 1%
- (iii) on the next rupees ten lakhs of net wealth 1.75%
- (iv) on the balance of net wealth 2.5%

(b) In the case of every Hindu undivided family:—

- (i) on the first rupees four lakhs of net wealth Nil
- (ii) on the next rupees seven lakhs of net wealth 1%
- (iii) on the next rupees ten lakhs of net wealth 1.75%
- (iv) on the balance of net wealth 2.5%”;

- (3) In the Schedule, Part II, in Rule 2, for the figure and words “2 per cent.”, the figures and words “2.5 per cent” shall be substituted.

13. *Expenditure-tax not to be levied from 1st April, 1962.*—Notwithstanding anything contained in the Expenditure-tax Act, 1957 (29 of 1957) expenditure-tax shall not be charged for any financial year commencing on or after the first day of April, 1962, in respect of the expenditure incurred by any individual or Hindu undivided family.

14. *Amendment of the First Schedule to Act 14 of 1961.*—In the Finance Act, 1961, in the First Schedule, in Part II, in Paragraph D, in clause (ii) of the first proviso, for the words “any Indian company which satisfies”, the words “any company which satisfies” shall be substituted and shall be deemed always to have been substituted.

15. *Amendment of Act 32 of 1934.*—The Indian Tariff Act, 1934 (hereinafter referred to as the Tariff Act), shall be amended in the manner specified in the Second Schedule.

16. *Amendment of Act 1 of 1944.*—In the Central Excises and Salt Act, 1944—

- (1) in section 2, in clause (f), in sub-clause (i), the word “and” shall be omitted and after sub-clause (ii), the following sub-clause shall be inserted, namely:—

“(iii) in relation to patent or proprietary medicines as defined in Item No. 14E of the First Schedule and in relation to cosmetics and toilet preparations as defined in Item No. 14F of that Schedule, includes the conversion of powder into tablets or capsules, the labelling or relabelling of containers intended for consumers and re-packing from bulk packs to retail packs or the adoption of any other treatment to render the product marketable to the consumers.”;

- (2) in the First Schedule,—

- (a) in Item No. 4,—

- (1) under “I. *Unmanufactured tobacco*”—

- (i) for the entries in the third column against sub-items (1), (2), (3), (4), (5) and (6), the entries “Two rupees and sixty naye paise”, “Sixteen rupees and ninety naye paise”, “Two rupees and twenty-five naye paise”, “Two rupees and five naye paise”, “One rupee and twenty naye paise” and “Two rupees and twenty-five naye paise” shall, respectively, be substituted;

- (ii) sub-item (5) (iii) shall be omitted;

- (2) under “II. *Manufactured tobacco*”—

for sub-item (2), the following sub-item shall be substituted, namely:

Per thousand

(2) Cigarettes of which the value—

- (i) exceeds Rs. 35 a thousand. Twenty-five rupees and thirty naye paise.

- (ii) exceeds Rs. 25 a thousand, but does not exceed Rs. 35 a thousand. Twelve rupees and ninety-five naye paise.

- (iii) exceeds Rs. 15 a thousand, but does not exceed Rs. 25 a thousand. Six rupees and sixty five naye paise.

- (iv) exceeds Rs. 7.50 a thousand, but does not exceed Rs. 15 a thousand. Two rupees and ninety naye paise.

- (v) does not exceed Rs. 7.50 a thousand. One rupee and thirty naye paise.”;

- (b) for Item No. 11, the following Item shall be substituted, namely:—

“11. *ASPHALT, BITUMEN AND TAR*—

- (1) Asphalt and Bitumen (including cut-back bitumen and asphalt) natural or produced from petroleum or shale. Twenty-seven per cent *ad valorem*.

- (2) Tar distilled from coal or lignite, and other mineral tars, including partially distilled tars and

blends of pitch
with creosote oils
or with other coal
tar distillation pro-
ducts.

- (c) after Item No. 11, under the heading "Mineral fuels, lubricants and related materials", the following Item shall be inserted, namely:—

"11A. ALL PRODUCTS DERIVED FROM REFINING OF CRUDE PETROLEUM OR SHALE (WHETHER GASEOUS, LIQUID, SEMISOLID OR SOLID IN FORM), NOT OTHERWISE SPECIFIED, INCLUDING REFINERY GASES, LUBRICATING OIL AND GREASES, WAXES AND COKE. Five per cent *ad valorem*."

- (d) in Item No. 14, for sub-item III, the following sub-item shall be substituted, namely:—

"III. Cellulose lacquers —

- (i) Nitrocellulose lacquers, clear and pigmented and nitrocellulose ancillaries in liquid form. One rupee and forty naye paise per litre.
- (ii) Nitrocellulose ancillaries in semi-solid and pasty forms. Fifty naye paise per kilogram.
- (iii) Cellulose lacquers, not otherwise specified. One rupee and forty naye paise per litre."

- (e) for item No. 14D, the following Item shall be substituted, namely:—

"14D. SYNTHETIC ORGANIC DYE STUFFS (INCLUDING PIGMENT DYE STUFFS) AND SYNTHETIC ORGANIC DERIVATIVES USED IN ANY DYEING PROCESS. Fifteen per cent *ad valorem*."

- (f) for Item No. 14E, the following Item shall be substituted, namely:—

"14E. PATENT OR PROPRIETARY MEDICINES NOT CONTAINING ALCOHOL, OPIUM, INDIAN HEMP OR OTHER NARCOTIC DRUGS OR OTHER NARCOTICS OTHER THAN THOSE MEDICINES WHICH ARE EXCLUSIVELY AYURVEDIC, UNANI, SIDHA OR HOMOEOPATHIC. Ten per cent *ad valorem*."

Explanation—'Patent or proprietary medicines' means any drug or medicinal preparation, in whatever form,

for use in the internal or external treatment of, or for the prevention of ailments in, human being or animals, which bears either on itself or on its container or both, a name which is not specified in a monograph in a *Pharmacopoeia*, *Formulary* or other publications notified in this behalf by the Central Government in the Official Gazette, or which is a brand name, that is, a name or a registered trade mark under the Trade and Merchandise Marks Act, 1958 (43 of 1958), or any other mark such as a symbol, monogram, label, signature or invented words or any writing which is used in relation to that medicine for the purpose of indicating or so as to indicate a connection in the course of trade between the medicine and some person having the right either as proprietor or otherwise to use the name or mark with or without any indication of the identity of that person.

- (g) after Item No. 14F, the following Items shall be inserted, namely:—

"14G. NITRIC, HYDROCHLORIC AND SULPHURIC ACIDS (INCLUDING FUMING ACIDS AND ANHYDRIDES THEREOF), ALL SORTS. Ten per cent *ad valorem*."

14H. COMPRESSED, LIQUEFIED OR SOLIDIFIED GASES, THE FOLLOWING, NAMELY:—

- (i) Oxygen. Ten per cent *ad valorem*.
- (ii) Chlorinic. Ten per cent *ad valorem*.
- (iii) Ammonia. Ten per cent *ad valorem*.
- (iv) Carbonic acid (Carbon dioxide). Fifty per cent *ad valorem*.
- (v) Refrigerant gases, not otherwise specified, such as sulphur dioxide and freon. Twenty per cent *ad valorem*."

- (h) for Item No. 15A, the following Item shall be substituted, namely:—

"15A. PLASTICS, ALL SORTS— Twenty per cent *ad valorem*."

- (i) Moulding powders, granules and flakes (thermo-setting and thermoplastic).

- (ii) Polyethylene films, lay-flat tubings and P. V. C. — sheets (that is to say, Polyvinyl Chloride sheets).

(iii) Not otherwise specified.

(i) after Item No. 16, the following Items shall be inserted, namely:—

“16A. RUBBER PRODUCTS, THE FOLLOWING, NAMELY:—

- (i) Latex foam sponge Twenty per cent *ad valorem*.
(ii) Plates, sheets and strips unhardened, whether vulcanized or not, and whether combined with any textile material or otherwise. Twenty per cent *ad valorem*.

16B. PLYWOOD, BLOCK-BOARD, LAMINBOARD, BATTENBOARD, HARD OR SOFT ^{ALL} BOARDS OR INSULATING BOARD AND VENEERED PANELS, WHETHER OR NOT CONTAINING ANY MATERIAL OTHER THAN WOOD; CELLULAR WOOD PANELS; BUILDING BOARDS OF WOOD PULP OR OF VEGETABLE FIBRE, WHETHER OR NOT BONDED WITH NATURAL OR ARTIFICIAL RESINS OR WITH SIMILAR BINDERS; AND ARTIFICIAL OR RECONSTITUTED WOOD BEING WOOD SHAVINGS, WOOD CHIPS, SAW DUST, WOOD FLOUR OR OTHER LIGNEOUS WASTE AGGLOMERATED WITH NATURAL OR ARTIFICIAL RESINS OR OTHER ORGANIC BINDING SUBSTANCES, IN SHEETS, BLOCKS, BOARDS OR THE LIKE—

- (i) Plywood for Tea-chests when cut to size in panels or shooks and packed in sets. Ten per cent *ad valorem*.
(ii) All others Fifteen per cent *ad valorem*.”;

(j) in Item No. 18—

- (i) for the entry in the third column, the entry “Four rupees and fifty naye paise per kilogram” shall be substituted;
(ii) the following *Explanation* shall be added, namely:—

“*Explanation*.—“Rayon and synthetic fibres and yarn

shall be deemed to include man-made fibres and yarn made out of man-made fibres.”;

(k) in Item No. 18A, for the entries in the third column against sub-items (1) and (2), the entries “Thirty naye paise per kilogram” and “Fifteen naye paise per kilogram” shall, respectively, be substituted;

(l) in Item No. 18B, for the entries in the third column against sub-items (1) and (2), the entries “Fifteen per cent *ad valorem*” and “Seven and a half per cent *ad valorem*” shall, respectively, be substituted;

(m) in Item No. 19,—

(i) in the second column,—

(a) in clause (b), the word “or” shall be inserted at the end; and

(b) in clause (c), the word “or” and clause (d), shall be omitted;

(ii) for the entries in the third column against sub-items (1), (2), (3), (4) and (5), the entries “Sixty naye paise per square metre”, “Sixty naye paise per square metre”, “Forty naye paise per square metre”, “Forty naye paise per square metre” and “Sixty naye paise per square metre” shall, respectively, be substituted;

(n) in Item No. 21, in the second column, the words “but do not include any such fabric if manufactured on a handloom” shall be omitted;

(o) in Item No. 22,—

(i) in the second column, in clause (iii), the word “or” shall be inserted at the end; and

(ii) in clause (iv), the word “or” and clause (v) shall be omitted;

(p) after Item No. 22, the following Item shall be inserted, namely:—

“22A. JUTE MANUFACTURES (INCLUDING MANUFACTURES OF BIMLIPATAM JUTE OR OF MESTA FIBRE), ALL SORTS—

- (i) Hessians Two hundred and fifty rupees per metric tonne.
(ii) All other descriptions of jute manufactures not otherwise specified (including cloth, bags, twist, yarn, rope and twine). One hundred and twenty-five rupees per metric tonne.”;

(q) after Item No. 23B, the following Item shall be inserted, namely:—

“23C. ASBESTOS-CEMENT PRODUCTS, ALL SORTS, INCLUDING FLAT AND CORRUGATED SHEETS, PIPES AND TUBES AND TILES. Ten per cent *ad valorem*.”;

(r) in Item No. 26A, for sub-items (1) and (2), the

following sub-items shall be substituted, namely:—

substituted, namely:—

- “(1) In any crude form including ingots, bars, blocks, slabs, billets, shots and pellets. One hundred rupees per metric tonne.
- (2) Manufactures, the following, namely, plates, sheets, circles, strips and foils in any form or size. Three hundred rupees per metric tonne.
- (3) Pipes and tubes. Ten per cent *ad valorem*.”;
- (s) after Item No. 26A, the following Item shall be inserted, namely:—

“26AA. IRON OR STEEL PRODUCTS, THE FOLLOWING, NAMELY:—

- (i) Bars, rods, coils, wires, joists, girders, angles, channels, tees, flats, beams, zeds, trough, piling, and all other rolled, forged or extruded shapes and sections, not otherwise specified. Five per cent *ad valorem* plus the ex-cise duty for the time being leviable on pig iron or steel ingots, as the case may be.
- (ii) Plates and sheets, other than plates and sheets intended for tinning, and hoops and strips, all sorts, including galvanised or corrugated plates and sheets. Seven and a half per cent *ad valorem* plus the ex-cise duty for the time being leviable on pig iron or steel ingots, as the case may be.
- (iii) Uncoated plates and sheets intended for tinning. Seven and a half per cent *ad valorem* plus the ex-cise duty for the time being leviable on pig iron or steel ingots, as the case may be.
- (iv) Pipes and tubes (including blanks therefor) all sorts, whether rolled, forged, spun, cast, drawn, annealed, welded or extruded. Five per cent *ad valorem* plus the excise duty for the time being leviable on pig iron or steel ingots, as the case may be.
- (v) All other steel castings, not otherwise specified. Five per cent *ad valorem* plus the excise duty for the time being leviable on steel ingots.”;
- (t) in Item No. 27, for sub-item (b), the following sub-items shall be substituted, namely:—
- “(b) Manufactures, the following, namely, plates, sheets, circles and strips in any forms or size. Five hundred rupees per metric tonne.
- (bb) Foils, that is a product of thickness (excluding any backing) not exceeding 0.15 millimetres. Six hundred rupees per metric tonne.”;

(u) for Item No. 29A, the following Item shall be

“29A. REFRIGERATING AND AIR-CONDITIONING APPLIANCES AND MACHINERY, ALL SORTS, AND PARTS THEREOF—

- (1) Refrigerators and other refrigerating appliances, which are ordinarily sold or offered for sale as ready assembled units, such as ice makers, bottle coolers, display cabinets and water coolers. Twenty per cent *ad valorem*.
- (2) Air-conditioners and other air-conditioning appliances, which are ordinarily sold or offered for sale as ready assembled units, including package type air-conditioners and evaporative type of coolers. Twenty per cent *ad valorem*.
- (3) Parts of refrigerating and air-conditioning appliances and machinery, all sorts. Thirty per cent *ad valorem*.”;

(v) to Item No. 30, the following *Explanation* shall be added, namely:—

“*Explanation*.—This Item does not include motors specially designed for use in gramophones or record players and all parts of such motors.”;

(w) after Item No. 33A, the following Item shall be inserted, namely:—

“33B. ELECTRIC WIRES AND CABLES, ALL SORTS, NOT OTHERWISE SPECIFIED—

- (i) Insulated wire and cables, whether sheathed or unsheathed, when designed for use in circuits of less than 10 amperes and at a pressure not exceeding 250 volts. Fifteen per cent *ad valorem*.
- (ii) All others. Five per cent *ad valorem*.”;
- (x) in Item No. 34, for the entries under the third column against sub-items (1) and (2), the entries “One hundred and seventy-five rupees each or seven and a half per cent *ad valorem*, whichever is higher” and “One thousand rupees each or ten per cent *ad valorem*, whichever is higher” shall, respectively, be substituted;
- (y) after Item No. 37, the following Item shall be inserted, namely:—

“37A. GRAMOPHONES, INCLUDING RECORD PLAYERS, WHETHER MECHANICALLY OR

ELECTRICALLY DRIVEN, AND WITH ACOUSTIC, ELECTRONIC, OR TRANSISTORISED SYSTEMS OF REPRODUCTION OR AMPLIFICATION, AND PARTS AND ACCESSORIES THEREOF, AND GRAMOPHONE RECORDS, ALL SORTS—

- (i) Gramophones or record players, including radiograms. Twenty per cent *ad valorem*.
(ii) Parts and accessories of gramophones or record players, all sorts. Thirty per cent *ad valorem*.
(iii) Gramophone records, all sorts, other than matrices. Fifteen per cent *ad valorem*.
(iv) Matrices for records, impressed. Thirty per cent *ad valorem*.
(v) Gramophone needles or styli—
(a) wholly made of steel Twenty per cent. *ad valorem*.
(b) others Twenty-five per cent *ad valorem*.”;

(z) Item No. 40 shall be omitted.

17. *Amendment of Act 58 of 1957.*—In the First Schedule to the Additional Duties of Excise (Goods of Special Importance) Act, 1957, in Item No. 4—

- (a) under “I. *Unmanufactured tobacco*—” sub-item (5) (iii) shall be omitted;
(b) under “II. *Manufactured tobacco*—” for sub-item (2), the following sub-item shall be substituted, namely:—

“(2) Cigarettes of which the Per thousand value—

- (i) exceeds Rs. 35 a thousand Seven rupees and seventy naye paise.
(ii) exceeds Rs. 25 a thousand but does not exceed Rs. 35 a thousand. Four rupees.
(iii) exceeds Rs. 15 a thousand, but does not exceed Rs. 25 a thousand. Two rupees and twenty naye paise.
(iv) exceeds Rs. 7.50 a thousand, but does not exceed Rs. 15 a thousand. Seventy naye paise.
(v) does not exceed Rs. 7.50 a thousand. Forty naye paise.”.

18. *Amendment of Act 16 of 1955.*—In the Schedule to the Medicinal and Toilet Preparations (Excise Duties) Act, 1955, for *Explanation 1*, the following *Explanation* shall be substituted, namely:—

“*Explanation 1.*—‘Patent or proprietary medicines’ means any medicinal preparation which bears either on itself or on its container or both a name which is not specified in a monograph in a Pharmacopoeia, Formulary or other publications notified in this behalf by the Central Government in the Official Gazette, or which is a brand name, that is, a name or a registered trade mark under the Trade and Merchandise Marks Act, 1958 (43 of 1958), or any other mark such as a symbol, monogram, label, signature or invented words or any writing which is used in relation to that medicinal preparation for the purpose of indicating or so as to indicate a connection in the course of trade between the preparation and some person having the right either as proprietor or otherwise to use the name or mark with or without any indication of the identity of that person.”.

19. *Repeal.*—Section 2 of the Finance Act, 1962 (11 of 1962) is hereby repealed and shall be deemed never to have been enacted.

THE FIRST SCHEDULE

(See section 2)

PART I

Income-tax and surcharges on income-tax

Paragraph A

(i) In the case of every individual who is married and every Hindu undivided family whose total income does not exceed Rs. 20,000 in either case—

Rates of Income-tax

Where the individual has no child wholly or mainly dependent on him or where the Hindu undivided family has no minor coparcener	Rs.	Where the individual has one child wholly or mainly dependent on him or where the Hindu undivided family has one minor coparcener	Rs.	Where the individual has more than one child wholly or mainly dependent on him or where the Hindu undivided family has more than one minor coparcener	Rs.
(1) On the first 3,000 of total income.		3,300 of total income.		3,600 of total income	Nil
(2) On the next 2,000 „		1,700 „		1,400 „	3%
(3) On the next 2,500 „		2,500 „		2,500 „	7%
(4) On the next 2,500 „		2,500 „		2,500 „	10%
(5) On the next 2,500 „		2,500 „		2,500 „	12%
(6) On the next 2,500 „		2,500 „		2,500 „	15%
(7) On the next 2,500 „		2,500 „		2,500 „	20%
(8) On the next 2,500 „		2,500 „		2,500 „	23%

(ii) In the case of every individual who is not married and every individual or Hindu undivided family whose total income in either case exceeds Rs. 20,000 and the case of every unregistered firm or other association of persons or body of individuals, whether incorporated or not, very artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-Tax Act, not being a case to which any other Paragraph of this Part applies:—

		Rs.	
(1) On the first	.. .. .	1,000 of total income	Nil
(2) On the next	.. .. .	4,000 " "	3%
(3) On the next	.. .. .	2,500 " "	7%
(4) On the next	.. .. .	2,500 " "	10%
(5) On the next	.. .. .	2,500 " "	12%
(6) On the next	.. .. .	2,500 " "	15%
(7) On the next	.. .. .	2,500 " "	20%
(8) On the next	.. .. .	2,500 " "	23%
(9) On the balance of total income	.. .. .		25%:

Provided that for the purposes of this Paragraph—

(i) no income-tax shall be payable on a total income which does not exceed the limit specified below;

(ii) the income-tax payable shall in no case exceed half the amount by which the total income exceeds the said limit;

(iii) the income-tax payable by an individual who is married or a Hindu undivided family whose total income exceeds in either case Rs. 20,000 shall not exceed the aggregate of—

(a) the income-tax which would have been payable if the total income had been Rs. 20,000;

(b) half the amount by which the total income exceeds Rs. 20,000;

The limit aforesaid shall be—

(i) Rs. 6,000 in the case of every Hindu undivided family which as at the end of the previous year satisfies either of the following conditions, namely:—

(a) that it has at least two members entitled to claim partition who are not less than eighteen years of age; or

(b) that it has at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended from any other living member of the family;

(ii) Rs. 3,000 in every other case.

Surcharges on income-tax

The amount of income-tax computed at the rates hereinbefore specified shall be increased by the aggregate of the surcharges calculated as under:—

(a) A surcharge for purposes of the Union equal to the sum of—

(i) two and a half per cent of the amount of income-tax calculated at the average rate of income-tax on the income under the head "Salaries" included in the total income;

(ii) five per cent of the amount of income-tax calculated at the average rate of income-tax on the total income as reduced by the income under the head "Salaries" included therein; and

(iii) where the earned income included in the total income exceeds Rs. 1,00,000 ten per cent of the difference between the amount of income-tax which would have been payable on the whole of the earned income included in the total income if such earned income had been the total income and the

amount of income-tax payable on a total income of Rs. 1,00,000;

(b) A special surcharge at fifteen per cent of the difference between the amount of income-tax on the total income and the amount of income-tax on the whole of the earned income, if any, included in the total income if such earned income had been the total income:

Provided that—

(i) no such charge for purposes of the Union shall be payable where the total income does not exceed the limit specified below;

(ii) no special surcharge shall be payable in the case of an assessee whose total income does not include any income from dividend on ordinary shares if his total income does not exceed the limit specified below, and where the total income includes any dividends on ordinary shares, such limit shall be increased by Rs. 1,500 or the amount of the said dividends, whichever is less:

Provided further that—

(a) where the total income includes any dividends on ordinary shares, the surcharge for purposes of the Union and the special surcharge shall not in each case exceed half the amount by which the total income exceeds the respective limits applicable in either case;

(b) the surcharge for purposes of the Union and the special surcharge, both together, shall not exceed half the amount by which the total income exceeds the limit specified below;

The limit aforesaid shall be—

(i) Rs. 15,000 in the case of every Hindu undivided family which satisfies as at the end of the previous year either of the following conditions, namely:—

(a) that it has at least two members entitled to claim partition who are not less than eighteen years of age; or

(b) that it has at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended from any other living member of the family;

(ii) Rs. 7,500 in every other case.

Explanation.—For the purposes of this Paragraph, in the case of every Hindu undivided family governed

by the *Mitakshara* law, a son shall be deemed to be entitled to claim partition of the coparcenary property against his father, or grand-father notwithstanding any custom to the contrary.

Paragraph B

In the case of every local authority,—

Rate of income-tax

On the whole of the total income .. 30%.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union of 5 per cent of the amount of income-tax.

Paragraph C

In every case in which under the provisions of the Income-tax Act, income-tax is to be charged at the maximum rate,—

Rate of Income-tax

On the whole of the total income .. 25%.

Surcharges on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of the surcharges calculated as under:—

- (a) a surcharge for purposes of the Union of five per cent of the amount of income-tax; and
- (b) a special surcharge of fifteen per cent of the amount of income-tax.

Paragraph D

In the case of every company,—

Rate of income-tax

On the whole of the total income .. 25%.

Paragraph E

In the case of every registered firm,—

Rates of income-tax

	Where the firm has four or less partners.	Where the firm has five or more partners.
(1) On the first Rs. 25,000 of total income.	Nil	Nil
(2) On the next Rs. 15,000 of total income.	5%	7%
(3) On the next Rs. 20,000 of total income.	6%	8%
(4) On the next Rs. 40,000 of total income.	7%	9%
(5) On the next Rs. 50,000 of total income.	8%	10%
(6) On the balance of total income.	10%	12%.

- (1) On the first Rs. 25,000 of total income.
- (2) On the next Rs. 15,000 of total income.
- (3) On the next Rs. 20,000 of total income.
- (4) On the next Rs. 40,000 of total income.
- (5) On the next Rs. 50,000 of total income.
- (6) On the balance of total income.

PART II

Super-tax and surcharges on super-tax

Paragraph A

In the case of every individual, Hindu undivided family, unregistered firm or other association of persons

or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of super-tax

- (1) On the first Rs. 20,000 of total income .. Nil
- (2) On the next Rs. 5,000 of total income .. 8%
- (3) On the next Rs. 5,000 of total income .. 18%
- (4) On the next Rs. 10,000 of total income .. 22%
- (5) On the next Rs. 10,000 of total income .. 32%
- (6) On the next Rs. 10,000 of total income .. 40%
- (7) On the next Rs. 10,000 of total income .. 45%
- (8) On the balance of total income .. 47.5%.

Surcharges on super-tax

The amount of super-tax computed at the rates hereinbefore specified shall be increased by the aggregate of the surcharges calculated as under:—

- (a) A surcharge for purposes of the Union equal to the sum of—
 - (i) two and a half per cent of the amount of super-tax calculated at the average rate of super-tax on the income under the head "Salaries" included in the total income;
 - (ii) five per cent of the amount of super-tax calculated at the average rate of super-tax on the total income as reduced by the income under the head "Salaries" included therein; and
 - (iii) where the earned income included in the total income exceeds Rs 1,00,000, ten per cent of the difference between the amount of super-tax which would have been payable on the whole of the earned income included in the total income, if such earned income had been the total income and the amount of super-tax payable on a total income of Rs. 1,00,000;
- (b) A special surcharge at fifteen per cent of the difference between the amount of super-tax on the total income and the amount of super-tax on the whole of the earned income, if any, included in the total income, if such earned income had been the total income.

Paragraph B

In the case of every local authority,—

Rate of super-tax

On the whole of the total income .. 16%.

Surcharge on super-tax

The amount of super-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union of 12½ per cent of the amount of super-tax.

Paragraph C

In the case of every association of persons being a co-operative society as defined in clause (19) of section 2 of the Income-tax Act,—

Rates of super-tax

- (1) On the first Rs. 25,000 of total income .. Nil
- (2) On the balance of total income .. 16%.

Surcharge on super-tax

The amount of super-tax computed at the rates hereinafter specified shall be increased by a surcharge for purposes of the Union of 12½ per cent of the amount of super-tax.

Paragraph D

In the case of every company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rates of super-tax

On the whole of the total income ... 55%:

Provided that—

- (i) a rebate at the rate of 50 per cent on so much of the total income as consists of dividends from any Indian company; and at the rate of 35 per cent on the balance of the total income shall be allowed in the case of any company which—
 - (a) in respect of its profits liable to tax under the Income-tax Act for the assessment year commencing on the 1st day of April, 1962, has made the prescribed arrangements for the declaration and payment within India of the dividends payable out of such profits in accordance with the provisions of section 194 of that Act; and
 - (b) is such a company as is referred to in section 108 of the Income-tax Act with a total income not exceeding Rs. 25,000;
- (ii) a rebate at the rate of 50 per cent on so much of the total income as consists of dividends from a subsidiary Indian company formed and registered before the 1st day of April, 1961; at the rate of 45 per cent on so much of the total income as consists of dividends from any other Indian company; and at the rate of 30 per cent on the balance of the total income shall be allowed in the case of any company which satisfies condition (a) but not condition (b) of the preceding clause;
- (iii) a rebate at the rate of 50 per cent on so much of the total income as consists of dividends from a subsidiary Indian company formed and registered before the 1st day of April, 1961; at the rate of 30 per cent on so much of the total income as consists of dividends from an Indian company, not being a subsidiary company, formed and registered before the 1st day of April, 1959; at the rate of 45 per cent on so much of the total income as consists of dividends from any other Indian company formed and registered on or after the 1st day of April, 1959; at the rate of 30 per cent on so much of the total income as consists of royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern on or after the 1st day of April, 1961 and which has been approved by the Central Government; and at the rate of 17 per cent on the balance of the total income shall be allowed in the case of any company not entitled to a rebate under either of the preceding clauses:

Provided further that—

- (i) the amount of the rebate under clause (i) or clause (ii) of the preceding proviso shall be

reduced by the sum, if any, equal to the amount or the aggregate of the amounts, as the case may be, computed as hereunder:—

- (a) on the aggregate of the sums computed in the manner provided in clause (i) of the second proviso to Paragraph D of Part II of the First Schedule to the Finance Act, 1961 (14 of 1961) as reduced by the amount, if any, which is deemed to have been taken into account, in accordance with clause (ii) of the said proviso, for the purpose of reducing the rebate mentioned in clause (i) of the said proviso to nil; and at the rate of 100%.
- (b) on the amount representing the face value of any bonus shares or the amount of any bonus issued to its shareholders during the previous year with a view to increasing the paid-up capital; at the rate of 12½%.
- (ii) where the sum arrived at in accordance with clause (i) of this proviso exceeds the amount of the rebate arrived at in accordance with clause (i) or clause (ii), as the case may be, of the preceding proviso, only so much of the amounts of reduction mentioned in sub-clauses (a) and (b) of clause (i) of this proviso as is sufficient, in that order, to reduce the rebate to nil shall be deemed to have been taken into account for the purpose:

Provided further that the super-tax payable by a company, the total income of which exceeds rupees twenty-five thousand, shall not exceed the aggregate of—

- (a) the super-tax which would have been payable by the company if its total income had been rupees twenty-five thousand; and
- (b) half the amount by which its total income exceeds rupees twenty-five thousand.

Explanation I.—For the purposes of this Paragraph, where any portion of the profits and gains of a company is not included in its total income by reason of such portion being agricultural income, the amount representing the face value of any bonus shares and the amount of any bonus issued to its shareholders shall each be deemed to be such proportion thereof as the average of the total income of the company in the five previous years in which the company has been in receipt of taxable income immediately preceding the relevant previous year bears to the average of its total profits and gains (excluding capital receipts) for the preceding five years aforesaid, reduced by such allowances as may be admissible under the Income-tax Act which have not been taken into account by the company in its profit and loss accounts for the preceding five years aforesaid.

Explanation II.—For the purposes of this Paragraph and Part III of this Schedule, a company shall be deemed to be a subsidiary of another company if that other company holds more than half in nominal value of the equity share capital of the first mentioned company.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956 (31 of 1956),—

Rate of super-tax

On the whole of its profits and gains from life insurance business ... 22.5%.

PART III

Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sub-section (2) of section 192 and sections 193 to 195 of the Income-tax Act, is to be deducted at the rates in force, deduction shall be made from the income subject to deduction at the following rates:—

	Income-tax			Super-tax	
	Rate of income-tax	Rates of surcharges		Rate of super-tax	Rates of surcharges
		Surcharge for purposes of the Union	Special surcharge		
1. In the case of a person other than a company—					
(a) in every case, on the whole income (excluding interest payable on any security of the Central Government issued or declared to be income-tax free, and interest payable on any security of a State Government issued income-tax free, the income-tax whereon is payable by the State Government), and	25%	1.25%	3.75%		
(b) in addition, where the person is non-resident in India, on the whole income.					Super-tax and surcharges on super-tax in accordance with the provisions of clause (b) of sub-section (1) of section 113 of the Income-tax Act.
2. In the case of a company—					
(a) in every case—					
(i) on the whole income (excluding interest payable on any security of the Central Government issued or declared to be income-tax free and interest payable on any security of a State Government issued income-tax free, the income-tax whereon is payable by the State Government); and				25%	
(ii) on the whole income [excluding dividends payable by an Indian company referred to in clause (iv) of sub-section (1) of section 99 of the Income-tax Act]; and					5%
(b) in addition, where the company is neither an Indian company nor a company which has made the prescribed arrangements for the declaration and payment of dividends within India,—					
(i) on the income from dividends [excluding dividends payable by an Indian company referred to in clause (iv) of sub-section (1) of section 99 of the income-tax Act]—					
(1) on dividends payable by any of its subsidiary Indian companies formed and registered before the 1st day of April, 1961					Nil
(2) on dividends payable by an Indian company, not being a subsidiary company, formed and registered before the 1st day of April, 1959					20%
(3) on dividends payable by any other Indian company formed and registered on or after the 1st day of April, 1959					5%
(ii) on the income from royalties payable by an Indian concern in pursuance of an agreement which is made by it with the Indian concern on or after the 1st day of April, 1961 and which has been approved by the Central Government					20%
(iii) on any other income, not being income from dividends					33%

THE SECOND SCHEDULE

(See section 15)

PART I

In the First Schedule to the Tariff Act,—

- (i) in Item No. 22 (4)(b),—
 (1) for the entry in the fourth column against sub-item (i), the following entry shall be substituted, namely:—
 “Rs. 60.00 per litre or 170 per cent *ad valorem*, whichever is higher, plus Rs. 5.00 per litre.”;
 (2) in the entry in the fourth column against sub-item (ii), for the figures “44.00”, the figures shall be substituted;
- (ii) in Item No. 28A,—
 (1) in the entry in the second column, for the word, brackets and letter “clause (d)”, the word, brackets and letter “clause (h)” shall be substituted.
 (2) in each of the entries in the fourth-fifth and sixth columns, the words “plus the excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty” shall be omitted;
- (iii) in Item No. 47(2), in the entry in the fourth column, for the words and figures “Rs. 6.60 per kilogram or 50 per cent *ad valorem*”, the words and figures “Rs. 7.50 per kilogram or 55 per cent *ad valorem*” shall be substituted;
- (iv) in Items Nos. 63, 63(1), 63(4), 63(5), 63(11), 63(13), 63(23), 63(26) and 63(25), for the figures and words “20 per cent *ad valorem*” in the entry against each of them in the fourth column, the figures and words “25 per cent *ad valorem*” shall be substituted;
- (v) in Item No. 63(6),—
 (1) for the entry in the fourth column against sub-item (i), the following entry shall be substituted, namely:—
 “15 per cent *ad valorem*.”;
 (2) for the entry in the fourth column against sub-item (ii), the following entry shall be substituted, namely:—
 “Rs. 74.00 per tonne plus 5 per cent *ad valorem*.”;
- (vi) in the Item No. 63(8), for the entry in the fourth column, the entry “Rs. 5.00 per tonne or 20 per cent *ad valorem*, whichever is higher, plus 5 per cent *ad valorem*” shall be substituted;
- (vii) in Item No. 63(9), for the entry in the fourth column, the entry “Rs. 60.00 per tonne plus 5 per cent *ad valorem*” shall be substituted;
- (viii) in Item No. 63(10),—
 (1) for the words and figures “Rs. 59.10 per tonne” in the fourth column against sub-item (i), the words and figures “Rs. 80.00 per tonne” shall be substituted;
 (2) for the words and figures “Rs. 79.70 per tonne” in the fourth column against sub-item (ii), the words and figures “Rs. 100.00 per tonne” shall be substituted;
- (ix) in Items Nos. 63(12), 63(15), 63(28), 63(29) (a), 63(29) (b) and 63(33) (b), for the entry against each of them in the fourth column, the entry “55 per cent *ad valorem*” shall be substituted;
- (x) in Item No. 63(17),—
 (1) for the entry in the fourth column against sub-item (i), the following entry shall be substituted, namely:—
 “Rs. 32.00 per tonne or 10 per cent *ad valorem*, whichever is higher, plus 5 per cent *ad valorem*.”;
 (2) for the entry in the fourth column against sub-item (ii), the following entry shall be substituted, namely:—
 “Rs. 55.00 per tonne plus 5 per cent *ad valorem*.”;
- (xi) in Items Nos. 63(18) (b) and 63(33) (a), for the entry against each of them in the fourth column, the entry “40 per cent *ad valorem*” shall be substituted;
- (xii) in Item No. 63(19), in the entry in the second column, after the words “cost iron plates”, the words “and stainless steel plates” shall be added;
- (xiii) in Item No. 63(20), in the entry in the second column, after the words “high silicon electrical steel sheets”, the words “and stainless sheets” shall be added;
- (xiv) in Item No. 63(24), for the entries in the fourth and fifth columns, the entries “55 per cent *ad valorem*” and “45 per cent *ad valorem*”, shall, respectively, be substituted;
- (xv) in Item No. 63(25), in the entry in the second column, the words “and iron or steel wire nails” shall be omitted;
- (xvi) in Item No. 63(27),—
 (1) for the entry in the fourth column against sub-item (i), the entry “Rs. 15.00 per tonne or Rs. 15 per cent *ad valorem*, whichever is higher, plus 5 per cent *ad valorem*” shall be substituted;
- (2) for the entry in the fourth column against sub-item (ii), the entry “Rs. 42.00 per tonne or 25 per cent *ad valorem*, whichever is higher, plus 5 per cent *ad valorem*” shall be substituted;
- (xvii) in Item No. 71(a), for the entry “35 per cent *ad valorem*” in the fourth column, the entry “50 per cent *ad valorem*” shall be substituted; and
- (xviii) in Item No. 75(1), for the entry in the fourth column, the entry “150 per cent *ad valorem*” shall be substituted.

PART II

Item No.	Name of Article	Nature of duty	Standard rate of duty	Preferential rate of duty if the article is the produce or manufacture of		Duration of protective rates of duty
				The United Kingdom	A British Colony	
1	2	3	4	5	6	7

In the First Schedule to the Tariff Act,—

(i) for Item No. 22(5)(b), the following Item shall be substituted, namely:—

“22(5)(b) Drugs and medicines containing spirit—

(i) entered in such a manner as to indicate that the strength is not to be tested.	Preferential Revenue.	Rs. 12.00 per litre or 50 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> Rs. 5.00 per litre.	Rs. 11.00 per litre or 40 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> Rs. 5.00 per litre.	Rs. 11.10 per litre or 40 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> Rs. 5.00 per litre.	..
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(ii) not so entered	Preferential Revenue.	Rs. 9.00 per litre of the strength of London proof or 50 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> the excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty.	Rs. 8.35 per litre of the strength of London proof or 40 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> the excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty.	Rs. 8.35 per litre of the strength of London proof or 40 per cent <i>ad valorem</i> , whichever is higher, <i>plus</i> the excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty.	..”;
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(ii) in section V, after Item No. 27(9), the following Item shall be inserted, namely:—

“27(10) All products derived from refining of crude petroleum or shale (whether gaseous, liquid, semi-solid or solid in form), including refinery gases, lubricating oil and grease, waxes and coke, but excluding articles falling under Items Nos. 27(3), 27(4)(a), 27(5), 27(6) and 27(7)(b).	Revenue.	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.”;
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(iii) after Item No. 28(34), the following Items shall be inserted, namely:—

“28(35) Nitric, Hydrochloric and Sulphuric Acids (including fuming acids and anhydrides thereof), all sorts.	Revenue.	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at
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1	2	3	4	5	6	7
			different rates, the highest duty and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.			
8(36)	Compressed, liquified or solidified gases, the following, namely:— (i) Oxygen. (ii) Chlorine. (iii) Ammonia. (iv) Carbonic acid (Carbon dioxide). (v) Refrigerant gases, all others, such as sulphur-dioxide, and freon.	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.			
28(37)	Patent or proprietary medicines not containing alcohol, opium, Indian hemp or other narcotic drugs or other narcotics other than those medicines which are exclusively Ayurvedic, Unani, Sidha or Homoeopathic.	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.			

Explanation.—For the purposes of this Item, “patent or proprietary medicines” means any drug or medicinal preparation, in whatever form, for use in the internal or external treatment of, or for the prevention of ailments in, human beings or animals, which bears either on itself or on its container or both, a name which is not specified in a monograph in a Pharmacopoeia, Formulary or other publications notified in this behalf by the Central Government in the Official Gazette, or which is a brand name, that is a name or a registered trade mark under the Trade and Merchandise Marks Act, 1958 (43 of 1958) or any other mark such as a symbol, monogram, label, signature or invented words or any writing which is used in relation to that medicine for the purpose of indicating or so as to indicate a connection in the course of trade between the medicine and some person having the right either as proprietor or otherwise to use the name or mark with or without any indication of the identity of that person.

1	2	3	4	5	6	7
	(iv) in section VIII, after Item No. 39(3), the following Item shall be inserted, namely:—					
39(4)	Rubber products, the Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.				
	(i) Latex foam sponge					
	(ii) Plates, sheets and strips unhardened, whether vulcanized or not, and whether combined with any textile material or otherwise.					
	(v) in section IX, after Item No. 42, the following Item shall be inserted, namely:—					
42(1)	Plywood, blockboard, laminboard, batten board, hard or soft wall boards or insulating board and veneered panels, whether or not containing any material other than wood; cellular wood panels building boards of wood pulp or of vegetable fibre, whether or not bonded with natural or artificial resins or with similar binders; and artificial or reconstituted wood being wood shavings wood chips, saw dust, wood flour or other ligneous waste agglomerated with natural or artificial resins or or other or ganic binding substances, in sheets, block, boards or the like—	Revenue	The excise duty for the time being leviable on like if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.			
	(i) Plywood for tea-chests when cut to size in panels of shooks and packed in sets.					
	(ii) All others.					
	(vi) after Item No. 50(1), the following Item shall be inserted, namely:—					
50(1A)	Jute manufactures (including manufactures of Bimlipatam jute or of Mesta fibre), all sorts—	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the			
	(i) Hessians.					

1	2	3	4	5	6	7
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(ii) All other descriptions of jute manufactures not falling in sub-item (i) above (including cloth, bags, twist, yarn, rope and twine).

duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.

(vii) after Item No. 58(1), the following Item shall be inserted, namely:—

“58(1A) Asbestos-cement products, all sorts, including flat and corrugated sheets, pipes and tubes and tiles.

Revenue

The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.

(viii) for Item No. 63(16), the following Item shall be substituted, namely:—

“63(16) Iron or steel washers, all sorts, and iron or steel nails, all sorts, including wire nails and panel pins.

Revenue

55 per cent *ad valorem*.

(ix) after Item No. 63(20), the following Item shall be inserted, namely:—

“63(20A) Stainless steel plates and sheets.

Revenue

25 per cent *ad valorem*.

(x) after Item No. 63(35), the following Item shall be inserted, namely:—

“63(36) Iron or steel products, the following, namely:—

Revenue

The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.

(i) Bars, rods, coils, wires, joists, girders, angles, channels, tees, flats, beams, zeds, trough, piling, and all other rolled, forged or extruded shapes and sections.

(ii) Plates and sheets, other than plates and sheets intended for tinning,

1 2 3 4 5 6 7

and hoops and strips, all sorts, including galvanised or corrugated plates and sheets.

(iii) Uncoated plates and sheets intended for tinning.

(iv) Pipes and tubes (including blanks therefor), all sorts, whether rolled, forged, spun cast, drawn, annealed, welded or extruded.

(v) All other steel castings.

(xi) for Item No. 64(6), the following Item shall be substituted, namely:—

“64(6) Copper and copper alloys containing not less than fifty per cent by weight of copper—

Revenue

The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.

(1) In any crude form including ingots, bars, blocks, slabs, billets, shots and pellets.

(2) Manufactures, the following, namely, plates, sheets, circles, strips and foils in any form or size.

(3) Pipes and tubes.

(xii) for Item No. 72(41), the following Item shall be substituted, namely:—

“72(41) Refrigerating and air-conditioning appliances and machinery, all sorts, and parts thereof—

Revenue

The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.

(1) Refrigerators and other refrigerating appliances, which are ordinarily sold or offered for sale as ready assembled units, such as ice makers, bottle coolers, display cabinets and water coolers.

(2) Air-conditioners and other air-conditioning appliances, which

1	2	3	4	5	6	7
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are ordinarily sold or offered for sale as ready assembled units, including package type air-conditioners and evaporative type of coolers.

- (3) Parts of refrigerating and air-conditioning appliances and machinery, all sorts.

(xiii) in Section XVI, after Item No. 73(23), the following Item shall be inserted, namely:—

“73(24) Electric wires and cables, all sorts, not falling under Item 63(36).	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.
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(xiv) in section XVIII, after Item No. 79, the following Item shall be inserted, namely:—

“79(1) Gramophones, including record players, whether mechanically or electrically driven, and with acoustic, electronic, or transistorised systems of reproduction or amplification, and parts and accessories thereof, and gramophone records, all sorts—	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.
(i) Gramophones or record players, including radio-grams.		
(ii) Parts and accessories of gramophones or record players, all sorts,		
(iii) Gramophone records, all sorts, other than matrices.		
(iv) Matrices for records, impressed.		
(v) Gramophone needles or styli—		

1	2	3	4	5	6	7
	(a) wholly made of steel.					
	(b) others.					
	(xv) for Item No. 82(6)(A), the following Item shall be substituted, namely:—					
"82(6)(A)	Plastics, all sorts—	Revenue	The excise duty for the time being leviable on like articles if produced or manufactured in India, and where such duty is leviable at different rates, the highest duty; and the duty so leviable shall be in addition to the duty which would have been levied if this entry had not been inserted.			..";
	(i) Moulding powders, granules and flakes (thermosetting and thermoplastic).					
	(ii) Polyethylene films, lay-flat tubines and P.V.C. sheets (that is to say, Polyvinyl Chloride sheets).					
	(iii) All others.					

भाग—7 भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य

PART I

PERSONNEL (A) DEPARTMENT NOTIFICATIONS

Simla-2, the 6th October, 1973

No. 3-67/71 (Apptt).—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 30 days earned leave with effect from 5th November, 1973 to 4th December, 1973 with permission to prefix Sunday falling on the 4th November, 1973 in favour of Shri I. C. Malhotra, GA-cum-DD & P. O. Hamirpur district, Hamirpur.

2. Certified that Shri Malhotra would have continued to officiate as GA-cum-DD and P.O. Hamirpur, but for his proceeding on 30 days earned leave.

3. Certified that not later than the time, the Governor, Himachal Pradesh, formally sanctioned the leave, he then intended to repost Shri Malhotra to the same post from which he is to proceed on leave.

Simla-2, the 6th November, 1973

No. 1-9/71-DP(Apptt).—In partial modifications of this Department's Notification of even number, dated the 27th October, 1973, the Governor, Himachal Pradesh is pleased to order the following transfers and postings with immediate effect in public interest:—

1. Shri Jai Chand, a Select List Officer of HPAS, formerly Sub-Divisional Magistrate, Sarkaghat, District Mandi (presently under orders of transfer as S.D.M.,

Rohru, District Simla) is posted as Sub-Divisional Magistrate, Chopal, District Simla; and

2. Shri Sher Singh, a Select List of Officer of HPAS, formerly Sub-Divisional Magistrate, Theog, District Simla, (presently under orders of transfer as S.D.M., Chopal, District Simla) is posted as Sub-Divisional Magistrate, Rohru, District Simla.

A. K. GOSWAMI,
Joint Secretary.

AGRICULTURE DEPARTMENT NOTIFICATION

Simla-2, the 6th November, 1973

No. 23-95/69-Agr. (Sectt).—On his reversion from the post of Assistant Director Labour Bureau, Ministry of Labour and Rehabilitation (Department of Labour and Employment) Government of India, Shri V. N. Mittal is posted as Assistant Agricultural Statistical Officer, IADP, Kangra, Palampur vice Shri Karan Singh, with immediate effect.

The Governor, Himachal Pradesh is further pleased to revert Shri Karan Singh, Assistant Agricultural Statistical Officer IADP, Kangra, Palampur, to his substantive post of Statistical Assistant (Class III) in the Agriculture Department.

K. C. PANDEYA,
Secretary.

PART II

FOREST DEPARTMENT NOTIFICATION

Chamba, the 15th October, 1973

No. 5554-59/G.—It is considered necessary that the forests specified in this notification shall be closed for a period of 15 years and that the rights of private persons over such forests shall be suspended during such period for the purpose of regeneration and artificial restocking in order to check erosion and whereas the remainder of forests are

sufficient and in a locally reasonable convenient for the due exercise of the rights suspended in the forests so closed.

The detail of rights suspended is as under:—

1. Quarrying and removal of stones.
2. Burning of limes and charcoal.
3. Breaking up or clearing for cultivation, for building, for breeding cattle or for any other purpose.
4. Grazing by all kinds of animals throughout the year.
5. Lopping and cutting of trees and bushes throughout the year.
6. Cutting of grass throughout the year.
7. Collection or subjection to any manufacturing produce or removal of any forest produce in or over or from the portion so closed.

Note.—Grass cutting is permitted free to right holders on permits on such terms and conditions as may be made and imposed or the descretion of the Divisional Forest Officer, Chamba Forest Division, Chamba (H. P.)

Name of range	Name of area	Total area in		Area to be closed		Khasra No.	Mohal	Pargana	Tehsil	Boundaries
I	2	Bigha	Biswas	Bigha	Biswas	5	6	7	8	9
Tissa	Tikri RF	86	5	86	5	1	Tikri	Himgiri	Churah	North: Tikri village. East: Jhaura Nalla. South: Village Jhaura. West:
	Chilli RF	1212	7	375	0	1, 2, 3,	Chilli	-do-	-do-	North: Chilli DPF. South: Himgiri Beat. East: Jhaura DPF. West: Chilli DPF.
	Khangu RF 1940 C. I.	0	950	0	1, 13, 14 & 15.	Khangu	-do-	-do-	-do-	North: Jhaura UF. Tikri RF. Halai UF. East: Chilli UF. South: Billa Beat.
	Khangu RF 5866 C. III.	0	260	0	1, 13, 14 & 15.	-do-	-do-	-do-	-do-	West: Chandrol UF. North: Jhaura UF. Tikri RF. Halai UF. East: Chilli UF. South: Billa Beat.
	Khangu RF 615 C. IV. b.	0	615	0	1, 13, 14 & 15.	-do-	-do-	-do-	-do-	West: Chandrol UF. North: Jhaura UF. Tikri RF. Halai UF. East: Chilli UF. South: Billa Beat.
										West: Chandrol U.F.

By order,
Sd/-

Divisional Forest Officer, Chamba.